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- ART. I.—1. *Report of the New York Committee for the Abolition of Capital Punishment.* 1847.
2. *Returns on the Subject of Capital Punishment recently laid before the British Parliament by order of the House of Commons.*
3. *Capital Punishment.* By Frederic Rowton, Secretary to the London Society for the Abolition of the Punishment of Death. 'Howitt's Journal,' Vol. I. & II. 1847.
4. *Death by the Law.* 'The Topic.' 1846.
5. *The Magazine of Information on Capital Punishment.* Glasgow. 1845—6.

THE remarks which we made on capital punishments in our April number, were directed entirely to the moral and religious bearings of the matter. It was our aim to show that the question of civil crime and penalty is purely one of expediency:—that, subject only to the moral duty of man towards man, the institution of the gallows must be tried solely by considerations of human policy. We argued that the test of eternal morality is beyond man's power to apply; and that, for the same reason, theology must be excluded from the civil judgment-seat. The Supreme Being, we maintained, will punish crime *as* crime; and the province of the civil governor is, simply to treat the malefactor with reference to the welfare of the state. This conclusion established, it will follow that any argument respecting the essential turpitude of a given offence, or any application of

theological doctrine to the subject, will be extraneous to the point at issue, and must be altogether dismissed from the discussion. Morality is a balance held by the Almighty hand; and man has neither strength nor authority to determine by it. Religion is a matter between man and his Maker, and can never become a rule of judgment between man and man.

Our theory—that expediency should be the sole rule of human punishment—is not a new one. Seneca affirmed it when he said, ‘The wise man punishes, not because an offence has been committed, but that offences may cease.’ Paley tells us that, ‘the proper end of punishment is not the satisfaction of justice, but the prevention of crime.’ Blackstone and Bentham urge the same doctrine, in nearly similar terms. We, ourselves, have heard the present Secretary of State for the Home Department publicly contend for the same conclusion. And the Criminal Law Commissioners, in their Eighth Report, dated 1846, make the following remarkable admission:—‘We apprehend that the right, even of the legislature, to inflict capital punishment, rests on grounds of *strict and cogent necessity*: and that to go beyond that limit involves a transgression in *foro cæli*, which is criminal in the legislator himself.’ Now these observations can have but one meaning, namely, that if a state is as secure without the infliction of death, as with it, the penalty is altogether unjustifiable.

We are perfectly free, then, to try the question of capital punishment by the simple and easy test of its political necessity; and that test we now proceed to apply.

We start by remarking that the political necessity of death punishment has never yet been *proved*: it has always been taken for granted. We mean, that it has never hitherto been shown, that a smaller penalty than the gallows would not answer equally well in repressing the crime of murder; that, in a word, the ruler has been driven to adopt capital punishments, because secondary inflictions have failed to attain the object in view.

Now, we submit that the supporters of the gallows are positively bound to demonstrate this necessity, before they can claim our concurrence in their views. Unless they can show that there is an absolute need for the extermination of murderers, that no penalty short of extermination will as effectually repress the crime of murder, we are fairly entitled to deny the existence of a ‘necessity’ at all, to refuse the ruler the awful prerogative he claims, and further, to charge the civil governor with the wilful cruelty of adopting a punishment which the safety of the state has not been proved to require.

It is important to establish thus early in the argument, the



undeniable and almost self-evident doctrine, that the exercise of punitive power should always be kept at its minimum. With Jeremy Bentham we hold that *economy* is an essential ingredient in punishment. We believe, not only that the ruler has no right to employ more punishment than will effect his purpose, but that it is in the highest degree impolitic and unwise for him to do so. 'Punishment,' says one of the writers under review, 'is always an evil, it is the infliction of evil; and, therefore, the less it is inflicted, consistently with the safety of society, the better.' Beyond the preventing point, all punishment has a hardening and depraving tendency: for then it is felt to be, not reformatory chastisement, but revengeful infliction; and at arbitrary punishment, the mind of man instinctively revolts. Here, again, Bentham strongly confirms our views. 'All inflicted evil,' he writes, 'which does not dispose the delinquent (and by his example, other men,) to obey the laws, is not punishment, but *an act of hostility*.' Severity of punishment is like excess of medicine; it only aggravates the distemper. It is the unskilful quack, not the wise physician, that commences by employing the most powerful drugs; and it is the ignorant ruler, not the thoughtful statesman, that inflicts at first the highest penalty in his power. 'Death,' remarks one of the writers before us, 'is the *extreme* of punishment; but is it wise to carry *anything* to extremes?' There is great force in that simple inquiry.

It being agreed on all sides, then, that the infliction of death 'can only be justified on grounds of strict and cogent necessity,' we now naturally come to ask for evidence that this necessity exists. We require proof, and proof of the most positive and unquestionable kind, that the minimum of punishment has been tried in respect of murder, and that it has been, step by step, advanced to the maximum, because only the maximum has been found capable of repressing the crime. But we ask in vain. To the shame of our country be it said, that we have tried no means whatever but the most extreme, and yet have the temerity to assert, that capital punishment is 'necessary' to prevent the commission of the offence! The writer in the 'Magazine of Capital Punishment,' may well, therefore, ask 'How do our legislators *know* that transportation, or perpetual imprisonment, or condemnation to labour for life in the galleys, or some other species of punishment, would not be equally, or even more, effectual than the gallows in preventing murder?' They, at least, are bound to make the experiment, before they hazard the assertion. And until they do so, we charge them with wilful and deliberate cruelty, in pleading a necessity which they have never proved;

we charge them with barbarously perilling immortal souls, for the purpose of carrying out a blind belief which they have accepted, without inquiry, from the unclean hands of Tradition; and with a daring usurpation of the Creator's sole prerogative, assumed without authority, and exercised without compassion.

It is astonishing that, with the history of the world before us, we should not always regard this word 'necessary' with suspicion. When we come to reflect upon the enormities which man has committed under the plea of necessity, we may well shudder:—

'When we think,' says a writer in 'Howitt's Journal,' 'of the iniquities and follies which have been perpetrated in various ages, under a mistaken idea of their necessity, we must surely pause before we admit the plea. It was thought necessary, in Queen Elizabeth's time, to hang those who converted protestants to popery. In the seventeenth century, it was thought necessary to inflict death on persons found guilty of witchcraft; and between the years 1600 and 1700, nearly sixty thousand individuals were executed for this offence! It was thought necessary, in Henry the Eighth's time, to put all robbers to death; and seventy-two thousand thieves were hanged in that honest monarch's reign; the crime steadily increasing all the while! In the jubilee reign of George the Third, it was thought necessary to hang for no fewer than two hundred different offences, among which were sheep-stealing, consorting with Gipsies, sacrilege, forgery, coining, horse-stealing, breaking down the head of a fishpond, enlisting an English subject in a foreign army, horse-poisoning, letter-stealing, forging the government certificate for wearing hair-powder, returning from transportation, and other crimes, even less heinous: for all of which the capital penalty has since been deemed unnecessary. Whilst the unlucky records of these facts exist, men must mind how they plead 'necessity.' The awful and ridiculous mistakes which have been made, under the delusion that the perpetration of them was *necessary*, will ever be a fatal bar to the success of the plea. Necessity is, indeed, no word for man to use at all. He is the subject of necessity, not its arbiter.'

But we mean to go far beyond this. We are not disposed to be satisfied with negative conclusions. We would not only nonsuit our opponents, on the ground of an unsubstantiated plea, but we challenge them to produce the best evidence they can, and will convict them even upon *that*. We are prepared to show, that not only is there no proof of the efficacy of death-punishments, but that there is positive proof of their inefficacy. We are ready to demonstrate—and we are willing to rest our case on this assertion—that where capital punishment has most prevailed, the crimes for which it has been enforced have most abounded; that where capital punishment has

least prevailed, capital crime has been rarest; and that, just as capital punishments have been discontinued, sanguinary vices have ceased. This statement we now mean to prove; and we beg the serious attention of our readers while we do so. We shall select our illustrations from many ages and countries; simply premising that the *Jewish* code must be omitted from the argument, inasmuch as it was a special and peculiar system, *intended* to be an exception to the general legislation of the world.

We refer, then, first to ancient times. 'In Egypt, under Sabaco, for a period of fifty years, as we are informed by Herodotus and Diodorus Siculus, no capital punishments were inflicted, those penalties being changed, with much success, into stated kinds of labour; which examples Grotius recommends to other nations.'\* 'Throughout all the better age of the Roman Republic, for a period of two centuries and a half, the infliction of death upon a Roman citizen, for any cause whatever, was expressly forbidden by the famous Porcian law, a democratic enactment passed in the 454th year of Rome, by the Tribune Porcius Lecca. So high was the valuation set upon the life of a citizen, by the Roman policy, that to put him to death was esteemed almost a parricide. With respect to the operation of the Porcian law, Montesquieu says:—'The penal laws of the kings, and those of the Twelve Tables, were nearly abolished during the Republic: and the Republic *was not the worse regulated*.' And Blackstone says:—'In this period *the Republic flourished*: under the emperors severe punishments were revived, and *then the empire fell*!'† Amongst the ancient writers who advocate the total abolition of the penalty of death, are Juvenal, Horace, Livy, Cassius the Tribune, Caius Cæsar, Cyrus, Scipio, Tacitus, and many others. Seneca, speaking of the infliction of death for murder, tells us that 'the worst kinds of murder began with the laws thus made against them, when the punishment bore resemblance to the crime.' (De Clementiâ, I. l. c. xxiii.) And Cicero, in his oration for C. Rabirio, finely says:—'Away with the executioner, with the capital execution, with the very name of things like these! Let them not only not be inflicted on the bodies of our Roman citizens, but not even on their thoughts, their sight, their hearing. For of all such things, not only the acting or enduring, but the institution, the contemplation, nay the mention itself, is unworthy of a Roman citizen, and a free man.' Gibbon, in his 'Decline and Fall of the Roman Empire,' (vol. ix. pp. 86, 87.) speaking of the clemency of the Emperor John of Rome, who remitted several

\*Report of New York Committee on Capital Punishments, p. 39. 1847.

† O'Sullivan's Report to the Legislature of New York, 1842.



capital punishments after sentence, says :—‘ *After this example of clemency, the remainder of the reign was never disturbed by conspiracy or rebellion*; feared by his nobles, beloved by his people, John was never reduced to the painful necessity of punishing, or even of pardoning, his personal enemies. During his government of twenty-five years, the penalty of death was abolished in the Roman empire.’

But let us descend to more recent times. In the reign of Alfred the Great over England, capital punishments were rarer than they have ever since been in Britain, even up to the moment in which we write : and so free was the land at that period from crime, that the historian tells us, ‘ a child might walk with a bag of money in its hand through any part of the kingdom, without fear of being molested.’ Contrast this with the state of things under Henry the Eighth, after capital punishment had been gradually annexed to almost every kind and degree of crime. In the reign of this infamous monarch, seventy-two thousand thieves fell by the hand of the executioner ; two thousand per annum—forty in every week ! and we have overwhelming contemporaneous evidence to the fact, that crime advanced, in spite of these inflictions, in the most frightfully rapid manner. Not to mention other witnesses, let us take Sir Thomas More. In his ‘ Dialogue between Himself and a Lawyer,’ he laments that, ‘ while so many thieves were daily hanged, so many thieves still remained in the country, who were robbing in all places.’ What stronger testimony can there be than this, to the utter inutility, to the absolute mischievousness, of the gibbet ? But let us proceed.

The Empress Elizabeth of Russia, on ascending the throne, pledged herself never to inflict the punishment of death ; and throughout her reign—twenty years—she kept her noble pledge. And so satisfactory was found its operation, that her successor, the great Catharine, adopted it in her celebrated code of laws, with the exception of very rare offences against the state. ‘ Experience demonstrates,’ is the language of her Grand Instructions for framing a new code of laws for the Russian empire (article 210), ‘ that the frequent repetition of capital punishments has never yet made men better. If, therefore, I can show that, in the ordinary state of society, the death of a citizen is neither necessary nor useful, I shall have pleaded the cause of humanity with success.’ In connexion with this statement, it is satisfactory to add, that the Count de Ségur, on his return from his embassy to St. Petersburg, in a letter published in the ‘ Moniteur,’ in June, 1791, declared that ‘ Russia, under the operation of this law, was one of the countries in which the least number of murders was committed.’

Howard, in his work on Prisons, mentions the following facts. In Leenwarden, in 1783, there had been no execution for fourteen years, and there were but a few persons confined, and those only for petty offences. At Utrecht, when he visited it, there had been no execution for twenty years; and there was in the prison but one criminal, and his offence not capital. In Brunswick, with no execution for fourteen years, the prison for capital offenders had scarcely been used during the whole time. In Denmark, he found that imprisonment for life, with annual whipping, which had been substituted for capital punishment, '*was dreaded more than death, and since it was adopted, had greatly diminished the frequency of murder.*'

And now let us record the result of a more direct and lengthened experiment. In 1765, the Grand Duke Leopold of Tuscany, by the advice of the enlightened and far-seeing Marquis Beccaria, recognising the great and solemn truth, that 'even delinquents are children of the state, whose amendment ought never to be abandoned in despair,' *abolished altogether the punishment of death in his dominions.* Here, then, the question was brought to a positive issue. Death was abolished, even for murder; and what was the result? Let the Grand Duke himself, after trying the experiment for twenty years, reply. 'With the utmost satisfaction to our paternal feelings, we have at length perceived, that the mitigation of punishment, joined to the most scrupulous attention to prevent crimes, and also a great despatch in the trials, together with a certainty of punishment to real delinquents, *has, instead of increasing the number of crimes, diminished that of smaller ones, and rendered those of an atrocious nature VERY RARE.*' The fact was, that, during the twenty years of the experiment, only *five* murders had been perpetrated in Tuscany; while in Rome, where death was inflicted with great pomp and solemnity, no fewer than *sixty* murders were perpetrated in a space of three months.

To the disgrace of the world it has to be stated, that Napoleon, feeling—to use his own words—'that he must not let Tuscany be happy and tranquil, because if he did, all travellers from France would envy it,' caused this humane and beneficial enactment to be repealed, and the old law of the gibbet to be restored. Crime soon increased with extraordinary rapidity; and only when judicial homicide began to be discontinued, did murders grow rare again. M. Berlinghieri, the late Tuscan minister at Paris, writes, in reply to M. Lucas, inspector of French prisons, 'I know that all crimes became less frequent when the pain of death was abolished; I know that many executions took place during the French occupation of Tuscany, and that *then crime*

*increased*; and I know, that since then, while executions have become rarer, crimes have diminished both in number and turpitude; though they are more frequent and more atrocious than when there was no pain of death at all.\*

Holland offers similar testimony. 'In the year 1802,' said Mr. Marryat, in the House of Commons, April 12th, 1812, 'I was in Amsterdam, and I then had the happiness to learn, that during many preceding years, the punishment of death had been but twice inflicted. Imprisonment and hard labour are there substituted for capital punishment; *and the most beneficial consequences have resulted from this alteration.*'

A further very striking proof of the advantages attending the discontinuance of capital punishment, is to be found in the result of the experiment made by Sir James Mackintosh, at Bombay. During that enlightened man's recordership, the punishment of death was never once inflicted by the court over which he presided; and the following extract from his parting charge to the grand jury (July 20, 1811), shows the remarkable success which attended this humane administration:—

'Since my arrival here, in May, 1804, the punishment of death has not been inflicted by this court. Now the population subject to our jurisdiction, either locally or personally, cannot be less than 200,000 persons. Whether any evil consequence has yet arisen from so unusual (and in the British dominions, unexampled) a circumstance, as the disuse of capital punishment, for so long a period as seven years, or among a population so considerable, is a question which you are entitled to ask, and to which I have the means of affording you a satisfactory answer.

'From May, 1756, to May, 1763, (seven years) the capital convictions amounted to 141, and the executions were 47. The annual average of persons who suffered death was about 7, and the annual average of capital crimes ascertained to have been perpetrated, was nearly 20.

'From May, 1804, to May, 1811, there have been 109 capital convictions. The annual average, therefore, of capital crimes legally proved to have been perpetrated during that period, is between 15 and 16. During this period there has been no capital execution.

'But as the population of this island has more than *doubled*, during the last 50 years, the annual average ought to have been 40, in order to show the same proportion of criminality with that of the first seven years. \* \* \* If this circumstance be considered, it will appear that the capital crimes committed during the last 7 years, *with no capital executions*, have, in proportion to the population, been not much more than *a third* of those committed in the first 7 years, notwithstanding the infliction of death on 47 persons.

'The intermediate periods lead to the same results. The number of capital crimes in any of these periods does not appear to be diminished,

\* M. Lucas, De la Peine de Mort, p. 359.



either by the capital executions of the same period, or of that immediately preceding.

‘This small experiment has, therefore, been made without any diminution of the security of the lives and property of men. Two hundred thousand men have been governed for seven years without a capital punishment, and without any increase of crimes. If any experience has been acquired, it has been safely and innocently gained.’

In addition to this strong evidence, we have other testimony from the East. Sir Charles Metcalfe, when resident at Delhi, wrote, that in that district ‘they never punished with death,’ and that ‘it was in no degree necessary.’

Even in the South-Sea Islands, the inefficacy of death punishment has been discovered. In Messrs. Bennett and Tyerman’s Journal of their residence in that locality, we find that the natives reject the penalty of death, as unreasonable and wicked; and that murder is a crime almost unknown there. Captain Ross, in his ‘Voyages to the North Pole,’ tells a similar tale.

To return, however, to Europe. We derive most conclusive proof that capital punishments are unnecessary for the repression of crime, from the example of Belgium. In Belgium, during the nineteen years ending with 1814, there were 533 executions; and the number of murders in that period was 399, or twenty-one per annum. During the fifteen years ending 1829, the executions were only 71, and the murders were diminished to 114, or not quite eight per annum. And in the five years ending 1834, there were *no executions whatever*, and the murders had decreased to twenty, or *only four per annum*! The following table will perhaps exhibit the result more satisfactorily:—

BELGIUM.	Periods.	Executions for all crimes.	Number of Murders.
In the 5 years ending	1804..	235	150
„ 5 „	1809..	88	82
„ 5 „	1814..	71	64
„ 5 „	1819..	26	42
„ 5 „	1824..	23	38
„ 5 „	1829..	22	34
„ 5 „	1834..	<i>none</i>	20

Nothing can well speak plainer than these facts, one would say; yet, strange to tell, there were persons in Belgium, calling themselves statesmen, who asserted in 1835, that ‘great crimes

were on the increase, and needed the example of the gallows to restrain them.' By the influence of these sagacious legislators, the pain of death, which had been discontinued with such positive advantage, was restored! In 1835, executions took place again; and the result is, the everlasting condemnation of gibbet-homicide. The convictions for murder, which, as we have seen, had in the five years ending 1834, been *twenty*, or four per annum, rose in the next five years, when four persons were killed by the executioner, to *thirty-one*, or, in other words, increased *fifty-five per cent.* Were we not literally right, when we said that capital punishments invariably increase crime, and that their abolition represses it?

France confirms our conclusions. In the five years ending 1829, the number of persons committed for murder was 1182, and 352 persons were executed for the crime. In the next five years, there were but 131 executions, and the number of murders was reduced to 1172. It is notorious, that the power of saving the lives of murderers in France, by finding them 'GUILTY—but with extenuating circumstances,' has worked extremely well, and has been attended by a great diminution of crime; while, on the other hand, we all know full well that Fieschis, and Alibauds, and Lécomtes have sprung up as fast as the guillotine has mowed their predecessors down. It is a singular fact, that Barrere, who instigated so many executions during the Revolution of 1790, should in 1831 find himself forced to confess, that 'the world would never be civilized till capital punishment was totally abolished!'

Austrian statistics yield a similar result. A writer in the 'Magazine of Capital Punishment' says:—'I visited lately the great prison at Prague, in which about 800 criminals are confined. The director informed me, that since the accession of the reigning emperor, no one had been executed for murder. I asked, 'Have murderers increased?' He said, 'No, *they have diminished.*''

Prussia gives similar testimony, as will be seen by a glance at the following table:—

In the 5 years ending 1824 . . . .	54 executions . . . .	69 murders.
„ 5 „ 1829 . . . .	33 „ . . . .	50 „
„ 5 „ 1834 . . . .	19 „ . . . .	43 „

Prussia thus shows, that by diminishing the number of executions by two-thirds, the result was not only the saving of the criminals, but a decrease of one-third in the crime, and consequently a much greater security to society.

A word or two concerning America, before we close our extracts from the statistics of foreign countries. In Pennsylvania,

some fifty years ago, capital punishment was abolished for all crimes but murder; and Mr. T. Fowell Buxton, speaking in the House of Commons, 23d May, 1821, said, 'One of the Pennsylvanian judges published a minute detail of the comparative state of crime in America, prior and subsequently to the alteration of the law; and I state upon the authority of this judge, published at a period when any error, if it had existed, must have been discovered, *that crimes, and especially crimes of enormity, had decreased*; but that in a given number of trials, the number of convictions had nearly doubled. He also states a fact, curious enough, as affecting the very question before us. In Pennsylvania, when the punishment for forgery was mitigated, the crime had decreased; in New York, where there had been no mitigation, the crime had gone on increasing.'

Here then we have a mass of most unquestionable evidence, gathered from almost every part of the world, in support of our assertion—that gibbets are in no degree *necessary* in a state, but may be abolished, not only with perfect safety, but with certain and large advantage. Ancient and modern times, barbarous and civilized eras, and countries in every degree of latitude, give testimony alike in support of our conclusion, and prove not merely, in Douglas Jerrold's words, that 'all hanging's a bungle,' but that the INVIOABILITY OF HUMAN LIFE is the safest, as well as the noblest, foundation on which a nation's security can be built.

But we must now turn to the history of our own country. Our opponents take upon themselves to affirm, that let the testimony of other lands be what it may, respecting the efficacy or inefficacy of capital punishments, England's experience is all in favour of retaining the gallows. Judges from the bench, secretaries of state from their places in parliament, and gospel-ministers from their pulpits, express their opinions that the crimes in respect of which the pain of death has recently been remitted, are 'alarmingly on the increase.' We are in a position to disprove the assertion thus made, and to demonstrate most triumphantly that the reverse is the truth. We affirm, and will show, that just as the gallows has been more or less employed among our people, crime has advanced or diminished.

We need not dwell long upon the ages antecedent to our own: but they speak so powerfully on our side, that in justice to our cause, we dare not pass them by.

We have already suggested a comparison between the state of crime under Alfred the Great and under Henry the Eighth. In the first reign, executions were almost unknown: and the quiet and orderly condition of the kingdom at that time has become



a proverb. In Henry the Eighth's time, when the gallows-fever seems to have reached a crisis, and seventy-two thousand culprits of one kind alone (thieves) were destroyed by it, crime of every sort abounded as it never did before or since. Disorder and wickedness overflowed the country at this infamous era, in a perfect torrent : as may be seen by reference to the chronicles of Harrison and Strype ; and so inefficacious was this wholesale hanging-system, that the latter writer says :—'The number of felonies committed in one county alone (Somersetshire), was *five times the number of the persons brought to trial for them.*' So that when executions were rarest in England, 'a child might walk with a bag of money in its hands through any part of the kingdom, without fear of being molested ;' and when executions were most frequent, the country was so infested with thieves, mountebanks, highwaymen and assassins, that no man's life or property was safe from one moment to another.

Elizabeth's reign gives another attestation to the soundness of our argument. 'Good Queen Bess' hanged eight persons weekly, on an average, and if we turn to Stow's 'Annals' (p. 172.), we find the parliament complaining of the 'daily happening of horrible murders, thefts, and other great outrages ;' and stupidly enough, passing more hanging-laws to restrain these enormities. The depraving tendency of the gallows is curiously illustrated in the following preamble of a law passed in this reign :—

'WHEREAS, persons in contempt of God's commands, and in defiance of the law, are found to cut pockets, and pick purses *even at places of public execution*, while execution is being done on criminals, be it therefore enacted—That all such persons shall *suffer death*, without benefit of clergy.'

One could almost fancy this a satire on the punishment of death.

Of the ages immediately preceding our own era, we will say but little. We simply note, first, the atrocious fact, that between the accession of William the Third and the death of the Second George, no fewer than one hundred thousand human victims were slaughtered in Great Britain, by the hand of the executioner ; and, secondly, the horrible growth of the legislatorial thirst for blood in the latter part of the eighteenth century. Concerning this latter fact, we cannot do better than quote Howitt's 'Journal,' (vol. ii. pp. 345, 6.)

'The thirst for the destruction of life, which seems to have slackened for a moment during the latter part of George the Second's sovereignty, revived almost immediately upon George the Third's accession, and became characterised by a ferocity and remorselessness which can only be

likened to the mad eagerness shown by certain wild animals for human blood, after having once become acquainted with the taste of it. It is one of the most disgraceful facts ever recorded in the history of our race, that whilst in the reign of the Plantagenets four offences only were made capital, in the time of the Tudors, twenty-seven, and under the sway of the Stuarts, thirty-six, there were *one hundred and fifty-six* additional offences made punishable by death, during the reigns of the first four sovereigns of the house of Brunswick! Not only were all the obsolete capital laws revived, but new ones were enacted to an extent that is almost incredible. Shoplifting to the amount of five shillings, consorting for a whole year with Gipsies, breaking down the head of a fish-pond, cutting down an ornamental tree in a park-avenue, coining, sheep-stealing, horse-poisoning, forgery, returning from transportation, damaging Westminster, London, or Putney bridges, breaking any tools used in woollen manufactures, stealing apples growing in an orchard, exporting a ram and a ewe together out of England, cattle stealing, stealing in a dwelling house, being found armed and disguised in a park at night, highway robbery, stealing geese from a common, bigamy, letter stealing, sacrilege, stealing linen from a bleaching-ground, cutting and maiming, damaging the rail or chain of a turnpike-gate, rick burning, demolishing buildings in a riot, simple larceny, poaching, cultivating the tobacco-plant in England, smuggling :—these, and a multitude of other offences, more or less enormous, were punished with death by the sanguinary rulers of this murderous period; until at length, there was scarcely a page of our fiendish law-code that was not covered with human blood.

‘That this slaughter-system did not answer is evident, from the fact that the ‘necessity’ for fresh ‘examples’ was so often pleaded. Forgery, for instance, was so common and far-spreading, that *twenty-nine* different descriptions of this crime were made capital in the hope of repressing it; and even a minister of the gospel, Dr. Dodd, committed the offence in defiance of the penalty, and became the ‘example’ which probably he had frequently described.

‘Matters, at length reached such a crisis, that parliament would pass no more hanging-laws, that juries perjured themselves daily, rather than give effect to the atrocious enactments of our statute-book, and that a great majority of our vilest criminals escaped all punishment for their offences. Ten-pound bank-notes were brought in as being of the value of thirty-nine shillings; goods worth a thousand pounds, were declared to be under the value of five pounds; and Lord Suffield produced on one occasion, in the House of Lords, a list of five hundred and fifty-five perjured verdicts, delivered during fifteen years at the Old Bailey, for the single offence of stealing from dwellings. So that it was at last palpable to all, that the system would not do. Consequently, a resolute few, amongst whom Sir William Meredith stands chiefly conspicuous, set to work to oppose the killing-theory altogether, and to try whether mildness would not operate far better than murder, to restrain men from crime.”

Of the difficulty experienced by the reformers of the time re-

ferred to, in procuring a mitigation of this awful and atrocious criminal code, no idea can be formed by any but the survivors of that era. Abuse, misrepresentation, defamation, and ridicule, were employed with a violence which can only be likened to the wild fury of a tiger, on being robbed of its prey. We do not know a more mournful evidence of what a sanguinary monster man may become, than is to be found in the picture of our professedly Christian legislature, as seen in the parliamentary records of the time. But we pass this by. The mitigations have been accomplished, and our business is only with the result. The penalty of death has been, in effect, abolished for every offence but murder, and we have to inquire whether the exchange of the capital for secondary punishment has proved beneficial or injurious?

We will commence our demonstration of the advantages which have attended the mitigation of our criminal code, by citing a table (No. 547.) printed by order of parliament in 1839. It takes two periods of five years each, and relates exclusively to such offences as were capital at the commencement. In the first of these periods, the five years ending 1833, there were executed in England and Wales 259 persons, and the committals for capital offences were 11,982. In the second period, the five years ending 1838, the spirit of mercy prevailed to so considerable an extent, that only 99 persons were put to death, and the committals for capital crimes were only 11,332; 650 *less than in the time of rigour and severity!* Now let it not be said, that this decrease in *capital crime* was merely a portion of the decrease in *crime generally*, throughout the kingdom; for in this second period, as compared with the first, offences not capital *rose* from 85,348 to 99,540. The diminution in capital crime is, therefore, the specific and evident result of the amelioration in our capital laws.

The following return, relating to London and Middlesex only, exhibits the decrease of capital crime on the mitigation of punishment, more strikingly still:—

LONDON and MIDDLESEX.	Executed.	Number of Capital Crimes.	Proportion of Convictions.
Two years, 1828 and 1829	46	679	47 per cent.
Two years, 1834 and 1835	<i>none</i>	545	65 „

The above table proves two points for us; that with fewest executions there is less crime, and also greater certainty of conviction.



But it will probably be said, that there is no evidence to show whether the crimes referred to in the foregoing returns were really, or only nominally, capital; and that, therefore, the conclusion is somewhat vague. Now we are quite ready to admit, that when punishments are capriciously administered, results are not to be depended upon. Under such circumstances, calculation is completely set at nought. Let us then see how the matter stands with reference to crimes which were as practically capital at the period in question, as murder is now. We will take the average of seven crimes, before and since the abolition of death punishments, and trace the effect of mitigation, in regard to them :—

Capital Punishment abolished, 1832, for	Average of 1830-1-2.	Average, 1835-1844	1844.
Cattle Stealing .....	37	43	44
Horse Stealing .....	188	162	163
Sheep Stealing .....	282	338	286
Larceny in Dwelling Houses..	161	187	188
Coining .....	5	17	9
Forgery .....	55	117	153
Housebreaking .....	716	553	546
Total .....	1,444	1,417	1,389

Here, then, we are able to show, that although one or two of the cited crimes exhibit a slight increase immediately after the abolition of capital punishment in respect to them, on the whole the number of offences is very soon considerably reduced, and after an interval of twelve years from the commencement of the experiment, is less by nearly 8 per cent.

Even this table, however, for which we are indebted to the industry of Dr. Satterthwaite, of Manchester, is not quite so satisfactory as we could wish. The periods are not exactly consecutive. For aught that appears, the year 1833, for instance, may have presented a large increase in capital crime, consequent upon the abolition of the capital penalty. Let us, therefore, construct from the materials before us, a more complete account. We will take seventeen offences for which death was formerly inflicted, and as concerns which, the extreme penalty has been repealed; and we will ascertain, first, how many of these offences were committed during *the last five years of executions for them*; and, secondly, how many of these offences were perpetrated *during the first five years after the substitution of an in-*

*ferior punishment.* The comparison is obviously as fair a one as could well be instituted. Here is the statement:—

<i>Number of Persons Convicted and Executed for each of the following Offences.</i>				
ENGLAND AND WALES.	During five years ending with the last year of an Execution for it.		During the five years first following the discontinuing of the Capital Penalty.	
	Committed.	Executed.	Committed.	Executed.
Cattle Stealing .....	144	3	119	—
Sheep Stealing .....	1,231	11	1,320	—
Horse Stealing .....	990	37	966	—
Stealing in Dwellings..	834	9	875	—
Forgery .....	296	17	331	—
Coining .....	44	8	16	—
Returning from Transp <sup>n</sup>	52	1	50	—
Letter Stealing .....	14	1	27	—
Sacrilege .....	33	2	33	—
Robbery .....	1,829	17	1,579	—
Arson .....	391	42	183	—
Piracy .....	52	1	4	—
Assaults with intent ..	278	14	319	—
Riot and Felony .....	215	6	68	—
Unnatural Crimes ....	105	11	118	—
High Treason .....	81	8	1	—
Burglary .....	4,327	46	3,734	—
Total .....	10,916	234	9,743	—

Thus, with 234 executions for these seventeen crimes, we had 10,916 committals, and with no executions at all, only 9,743 committals! The experiment of preserving the lives of the culprits was not only made with safety, but with great and positive benefit; for 1,173 fewer crimes were committed, notwithstanding a large increase in the population. To talk of the 'necessity' of capital punishments, in the face of these unanswerable facts, is utterly absurd and childish.

Before we pass on to other considerations, we would present the result of the mitigations referred to, in a yet larger total. The death-penalty for coining, horse, sheep, and cattle stealing, forging and uttering, and stealing in dwelling-houses above the value of five pounds, was removed in 1832, and for house-breaking in 1833; and it will be seen by the subjoined tables, that while at this period non-capital crimes were increasing, at the rate of 10 per cent., and capital crimes, at the rate of 32 per

cent., the crimes which were made non-capital as above, actually *diminished* 9 per cent. on the removal of the extreme penalty:—

ENGLAND AND WALES.	Commitments for Offences not Capital.	Commitments for Capital Offences.	Commitments for Offences made not Capital in 1832-3
Three years, 1827-8-9	46,833	1,705	4,622
Three years, 1830-1-2	51,623	2,236	4,724
Three years, 1833-4-5	51,701	2,247	4,292
	Increase, 10 per cent. in six years.	Increase, 32 per cent. in six years.	DECREASE, 9 per cent. in three years.

We will now go a little into detail. It is often charged against the opponents of the gibbet, that they deal in general statements, and shun minute examination. We will prove the folly of this accusation, by taking, *seriatim*, various crimes which have lately been relieved of the capital penalty. The Rev. Mr. Pyne's book supplies most of our facts.

BURGLARY AND HOUSEBREAKING.—*Mitigation commencing 1833.*

Three years ending 1829, Executed 38, Committed 2667	
_____ 1832 _____ 18 _____ 2532	
_____ 1825 _____ 2 _____ 2184	
_____ 1838 _____ 1 _____ 2437	

HORSE STEALING.—*Mitigation commencing 1830.*

Nine years ending 1829, Executed 46, Committed 1626	
_____ 1838 _____ none _____ 1565	

ROBBERY.—*Mitigation commencing 1834.*

Five years ending 1833, Executed 36, Committed 1949	
_____ 1838 _____ 5 _____ 1634	

COINING.—*Mitigation commencing 1832.*

Four years ending 1828, Executed 7, Committed 42	
_____ 1835 _____ none _____ 41	

SHEEP STEALING.—*Mitigation commencing 1832.*

Three years ending 1831, Executed 7, Committed 787	
_____ 1835 _____ none _____ 716	

CAPITAL ASSAULTS ON FEMALES.—*Mitigation commencing 1835.*

Four years ending 1834, Executed 16, Committed 222	
_____ 1838 _____ 1 _____ 223	



ARSON.—*Mitigation commencing 1837.*

Two years ending 1836, Executed 9, Committed 148	
1838 ——— none ———	86

FORGERY.—*Mitigation commencing 1832.*

Ten years ending 1829, Executed 64, Committed 746	
1839 ——— none ———	731

Another return on the subject of forgery, will exhibit the advantage resulting from the discontinuance of the capital penalty, more satisfactorily. It relates to the forgeries on the Bank of England only:—

In the five years ending 1830, Executed 5, Prosecuted 85 = 17 per ann.	
1835 ——— none ———	34 = 7 ———

HIGHWAY ROBBERY. In respect of this crime, we have not the Parliamentary Returns at hand; but in an address printed by the Society for the Diffusion of Information on the subject of Capital Punishment, we find it stated upon statistical evidence, furnished by authority, that 'there were fewer highway robberies in the seven years ending 1840, with five executions, than in the seven years ending 1833, with fifty-eight executions. The signature of 'WILLIAM ALLEN,' appended to this statement, is a sufficient guarantee of its correctness.

There can be no need, we think, to carry our comparisons further; for surely these will satisfy the most scrupulous objector. The number of the instances which we have selected will show, beyond all question, that these diminutions of crime immediately following the disuse of capital punishment in respect of them, cannot be considered mere coincidences, but must be regarded as effects plainly related to a cause.

But there are some *unscrupulous* objectors whom nothing will satisfy. In spite of clear proofs, like the foregoing, that we are safer without the gallows than with it, there are persons to be found, who still maintain that the brutal exhibitions of the scaffold are 'necessary' to the well-being of society; and our readers will be astounded to see the ingenious tricks to which these individuals resort to bolster up their case. We know nothing more shallow and dishonest, nothing that exhibits more wilful perversity of apprehension, than the attempts which have been made by some of the advocates of capital punishment, to support their views by figures.

We will not allude to these reasoners by name; to do so were only to elevate them into undue importance. We will simply draw attention to the statements which they put forth,—statements which, we regret to say, have found a believer and

an exponent in no less a personage than her Majesty's secretary of state for the home department. Far be it from us to charge that right honourable gentleman with the duplicity and dishonesty of which we accuse others; we believe him to be incapable of wilful mis-statement; but that he is mournfully mistaken and uninformed upon this vitally-important subject, we shall be able to demonstrate only too clearly.

When, in March last, Mr. Ewart (whose able exertions in this cause can never be too highly appreciated,) brought on his motion in the House of Commons, for leave to bring in a Bill to Abolish the Punishment of Death in all cases, Sir George Grey, in a speech which (as we can personally testify) produced a considerable effect upon the decision of the House, opposed the motion. This was to be expected; for the state never parts with any power it can possibly retain. But, that a secretary of state should have so misapprehended and mis-stated the facts connected with the question, we never could have believed. He stated, that, although he had no wish to re-establish capital punishment in cases where it had been abolished, he was compelled to say, that crime had very largely increased in respect of many offences for which a secondary punishment had been substituted. That, for instance, *attempts to murder* had increased from 451, in the five years ending with 1831, to 1,099 in the five years ending with 1846. That *rape* had increased from 252 in the first period, to 547 in the last. That *arson* had increased from 212 in the first period, to 581 in the last. And that *forgery* had advanced from 312 in the first period, to 731 in the last period. It is not wonderful that so off-hand a statement should have misled the House of Commons, and that under its influence, the motion should have been rejected. But let us analyse it, and see what it amounts to.

1. ATTEMPTS TO MURDER. Sir George Grey says, that this crime has largely increased since the penalty of death was abolished for it. So it certainly has. Here is the table:—

In the 5 years ending 1831, there were 451 commitments: the crime then being capital.				
" 5	"	1836	"	668
" 5	"	1841	"	937
" 5	"	1846	"	1099
the pain of death being abolished.				
			"	"
			"	"

This is a vast increase. No doubt of it. But does not the reader instantly see that this increase is not due to the abolition, but to the *retention*, of the gallows? For the increase is in—*what*? In attempts to commit *murder*, THE CAPITAL CRIME, the crime to which the penalty of death is attached! In every one of these 'attempts,' the design of the culprit was not to commit the secondary, but the capital, offence; and the

penalty he braved was that of *death*. He never meant to stop short of the awful consummation he contemplated; he meant *to kill*, in spite of the law's threat of killing *him*: the accidental circumstance that his victim survived, made no *real* difference in his crime. What kind of logician must that person be, then, who sees in this increase of attempts to commit the crime to which the penalty of death is attached, a proof that *the abolition* of the death-penalty increases crime!

2. RAPE. In reference to this crime, we cannot do better than quote a passage from a recent letter in the 'Daily News,' written by a gentleman who has been well styled 'the Cobden of the abolition movement,' Mr. Charles Gilpin: and addressed to Mr. E. P. Bouverie, M. P. for Kilmarnock. It contains the very gist of our argument:—

'Sir George Grey,' says Mr. Gilpin, 'next alludes to *rape*. I should be sorry to charge any man with wilfully keeping back part of the truth, on a question of such awful import as the one before us; but Sir George knew, or ought to have known, that so long as the punishment for rape was death, prosecutors would frequently indict only for the minor offence, 'assault with intent;' but when the punishment was changed, the criminals were prosecuted for their real crime; therefore its apparent, without its actual, increase. While calling the attention of the House to the increase of committals during the four periods before referred to, from 252 to 278, 319 and 597, like a discreet advocate, he omits any allusion to the minor offence, for had he adduced the number of commitments for 'assault with intent,' they would have shown so slight an increase, as to lead to a belief that the crime remains nearly stationary. And yet, considering the condition and circumstances of the bands of railway workmen, who of later years have moved from place to place through the country, it would be little cause for surprise if the crime alluded to had increased, from circumstances wholly independent of the punishment provided by law. But there is another most material fact, which Sir George Grey did not bring forward, namely, that while the capital penalty continued, juries did not on the average convict more than 16 or 18 per cent. of those committed. Now, the average ratio of convictions is nearly doubled. Such being the case, it may be inferred, that there is a corresponding inclination in the public mind to aid the law; and in this way an increase of commitments is accounted for.'

3. We come next to ARSON, and we quote again from Mr. Gilpin's able letter:—

'Sir George Grey's third statement had reference to *arson*, for which the commitments, in similar periods, had been as under:—

In 5 years ending with 1831	.....	212
" 5	"	1836
" 5	"	1841
" 5	"	1846
		.....
		581



‘In this instance, Sir George Grey gave a proof that he did not himself believe the inference which he meant his hearers to form. The capital penalty continued till 1837; and yet, in the five previous years, in defiance of the most inexorable enforcement of it, the numbers increased from 212 to 366. In that year it was repealed; and what followed? Why, a *reduction to 183 in the next five years!* But then, it has subsequently again increased; yes, just as it did (while the penalty was blood) in the years 1829 and 1830. The fact is, that this is a sort of epidemic crime; and its perpetration in more recent years, has been greatly facilitated by the sale of lucifer matches, by any vagrant strolling about the country.’

In addition to Mr. Gilpin’s statement, we may mention, that the number of commitments in the years when the punishment for this crime was death, affords no fair criterion of the real number of offences perpetrated. ‘The law respecting arson,’ says the writer in ‘Howitt’s Journal,’ ‘had become so inoperative, that in three years, out of 277 committed criminals, only 28 were convicted!’ We may also append the following conclusive table:—

In the Six Years ending—

1836 (the last of the Capital Penalty) with 58 Executions, there were 493 Committals,			
1842 .....	„	no Executions	„ 284 „

4. The Home Secretary tells us, that FORGERY has increased since the mitigation of the capital penalty. Once more, let us quote Mr. Gilpin, in reply to this assertion:—

‘As to forgery, to which the fourth of Sir George Grey’s statements had reference, it is only surprising that any Home Secretary should have attempted to make the House of Commons believe what was implied by his statements, namely, that the commitments had increased in the same four periods, from 312, to 350, 564, and 731. Surely, Sir George Grey cannot be ignorant that, while the crime of forgery was capital—as it was in the first of the periods here cited—it was customary in the Home Office Register, to include under one head *only the capital commitments*; and that, now, it is customary to include under the same head commitments *which were never capital*—offences which constitute a very large proportion of the entire number of forgeries. In case, however, of his pleading such ignorance of the affairs of his own department, I shall here refer him to a return, No. 689, made to the House of Commons in 1847, in which what I have now stated is clearly admitted. What are we to think of the fairness of the Home Secretary, if he made his statement with the knowledge of these facts, or of his fitness for his office, if he knew them not?’

Connected with this crime of forgery, it may be as well to remind the reader, that while the offence was capital, an immense number of criminals escaped prosecution altogether, and

thus the committals in the earliest cycle named, are made to seem so much smaller than in the subsequent cycles. When the subject of death for forgery was before parliament, Mr. John Abel Smith asserted, 'that neither the House, nor the country, were aware of the numerous offences of this kind that were hushed up.' Alderman Harmer stated, also, from his own knowledge, that 'the prosecutions bore no proportion to the cases in which no prosecutions took place,' adding, that 'he could not calculate to within a hundred, how many compromises of this crime he himself had known.' And it is a notorious fact, that the Messrs. Gurney, and other large firms, continually refused to prosecute at all, while the penalty for this crime was death.

5. BURGLARY. Here, again, the Home Secretary is egregiously at fault, as Mr. Gilpin thus shows:—

'Sir George Grey's fifth statement relates to *burglary*, and implies that this crime has greatly increased. We may here again ask, whether Sir George Grey believes himself? As a lawyer, he must know that about the time that capital punishment was changed, the crime was by law defined anew, and made to include offences committed between certain hours of the evening and morning, a much longer portion of the twenty-four hours, and not those alone, as formerly, committed during darkness. Any further remark on his statistics of burglary would be superfluous.'

Thus, then, the case of our opponents is completely scattered to the winds, and their sophistry is left shameful and shivering in its naked and miserable deformity. But we have not done with our antagonists, yet.

Suppose their tale were true; suppose the facts were as they have stated them; suppose crime had increased since the exchange of capital for secondary punishments; what then? Would *that* prove that the increase was *owing to the mitigation*? Not at all. For we can show that crimes increased in an infinitely greater ratio, *while they remained capital*. Sir George Grey affirms an increase of crime, amounting to about *forty per cent. in twenty years*. Why, in George the Third's time, when two hundred offences were punishable with death, crime increased ONE HUNDRED AND TWENTY PER CENT. IN FOUR YEARS! In 1814, the total commitments were 6,390; in 1818, they were 13,932! Is there anything like this in the history of mitigation? Well may we say, that the gallows is the cause of crime.

Now we will be generous to the supporters of death punishment. We will put their case in its strongest light. We will

admit all that they can possibly claim. We will give them the benefit of the following table; a stronger one than they have ever yet produced:—

*Statement of the Number of Commitments for Offences which were Capital in 1838, in each Five Years ending—*

	1826.	1831.	1836.	1841.	1846.
Attempts to procure Abortion	—	—	—	17	29
Unnatural Offences . . . . .	57	69	123	122	292
Rape . . . . .	215	252	278	319	597
Sacrilege . . . . .	31	58	73	42	57
Burglary . . . . .	2,262	1,299	1,060	2,154	2,701
Housebreaking . . . . .	806	2,966	2,744	2,856	2,860
Robbery . . . . .	1,232	1,871	1,829	1,579	2,012
Larceny in Dwelling Houses, with fear . . . . .	—	—	10	15	17
Piracy . . . . .	27	52	4	8	24
Cattle Stealing . . . . .	136	171	191	205	220
Horse Stealing . . . . .	863	946	913	799	747
Sheep Stealing . . . . .	746	1,239	1,312	1,750	1,543
Larceny in Dwelling Houses .	1,242	834	876	897	992
Stealing Post-office Letters .	4	17	24	63	85
Arson . . . . .	142	212	366	183	581
Felonious Riot . . . . .	62	148	135	17	138
Killing and Maiming Cattle .	32	47	159	153	182
Forging and uttering Forged Instruments . . . . .	232	72	29	50	25
Forging other Instruments . }		240	321	514	706
Coining . . . . .	18	45	70	61	85
Felonious Uttering . . . . .	6	26	5	—	—
Other Offences . . . . .	44	81	25	29	18
	8,157	10,645	10,547	11,833	13,911

We will admit, then, that by the table which we have above constructed from the parliamentary returns, there is shown a clear increase in crimes recently relieved of the capital penalty, to the amount of 30 per cent. in the first period of five years; a nearly similar number of crimes in the second; a further increase of 10 per cent. in the third period, and a still further increase of 18 per cent. in the last: or a total increase between the first and last periods, of no less than *seventy per cent.* Very well; the crimes for which the penalty of death has been removed, have increased 70 per cent. since the removal.

But now let us look at the crime for which the punishment of



death has been *retained*, namely, murder; including attempts to commit murder, which is practically the same offence, inasmuch as in every case the penalty of death is braved by the culprit:—

<i>Statement of the Number of Commitments in each of the Five Years ending</i>					
	1826.	1831.	1836.	1841.	1846.
Murder and Attempts to Murder .....	661	770	1,023	1,221	1,459

We have here an increase of 16 per cent. in the first period, 32 per cent. more in the second, 20 per cent. more in the third, and 17 per cent. more in the last: or an increase of no less than ONE HUNDRED AND TWENTY-FIVE PER CENT. in the last period, as compared with the first! Here, then, we may triumphantly rest our case. For even granting that the *abolition* of the gallows has been followed by an increase of crime to the amount of 70 per cent., we are able to show on the other hand, that the *retention* of the gallows has caused an increase of 125 per cent.

We think, then, that we may now claim to have proved beyond question, that wherever and whenever capital punishments have been abolished, the crimes in respect of which the change has been made, have, on the whole, as compared with the crimes for which the extreme penalty has been retained, materially decreased:—that in a word, every experiment hitherto made, shows that there is less crime without the gallows than with it. It only remains for us, therefore, to apply our conclusion to the great practical subject of our inquiry—*Can we with equal safety to the community, abolish the punishment of death, as respects the one remaining crime of murder?*

We conceive that we might fairly claim an answer in the affirmative, upon mere parity of reasoning. If, as respects two hundred offences in England, and *all* crimes in other countries, crime decreases on the abolition of the penalty of death, there is surely every reason for supposing that murder would equally diminish, upon the substitution of a secondary, for the capital, punishment. There is nothing in the constitution of human nature, or in the constitution of society, that should make this one crime an exception to the general law. If the fear of death restrain any crime, it restrains *all* crimes; and if it fail to restrain one offence, it must fail to restrain every offence; more especially must it fail to restrain a crime like murder, which is never even conceived until all moral restraint is at an end.

But we build our conclusion on a surer foundation than logic.

We have positive proof to offer, that murder does not need the gallows to restrain it. We are in a condition to show, that murder flourishes most when murderers are destroyed by the hand of the law, and least when murderers are preserved.

We have already demonstrated the soundness of this position, by reference to ancient Egypt under Sabaco, to Rome, to Russia, to England in the early ages, to Tuscany, to India, to America, to France, Prussia, Austria, Holland, Belgium, and other modern countries; in all of which instances, we have seen that capital punishment increases murder, and its abolition represses it. We have only now then to turn to the records of our own land, in our own time. We shall derive a precisely similar result from our investigation.

To prove the effect of a diminution of executions on the number of murders, we take the following table :—

ENGLAND AND WALES.	Total Executed for all Crimes.	Number of Mur- derers convicted.
In the 7 years ending 1820	649	141
„ 7 „ 1827	494	113
„ 7 „ 1834	355	105

We will next show that the fewest executions, in proportion to the number of murders, produces the fewest murders in future years. We select from a great mass of evidence, the following return :—

Periods.	Executed for Murder.	Committed for Murder.
In the 6 years ending 1818	122	444
„ 6 „ 1824	91	407
„ 6 „ 1830	75	411
„ 6 „ 1836	74	413
„ 6 „ 1842	50	351

‘The government doctrine,’ says the editor of the ‘Magazine of Capital Punishment,’ ‘is—That executions for murder, prevent murder. If that doctrine be true, how is it that the figures do not prove it? How is it that under the benign influence of 122 executions, so many as 444 murders were committed, while under the malign influence of only 50 executions, so few as 351 murders were committed?’

But it may be said, that cycles of five years are too short for a satisfactory experiment. Be it so. We will take, then, cycles

of 16 years; which will be long enough, we should imagine, for the most fastidious.

We will take the thirty-two years ending 1842, (*London and Middlesex*.) and dividing this period into two periods of sixteen years each, we get the following striking result:—In the first 16 years, *all who were convicted of murder*, 34 in number, *were executed*. The rulers of the time proclaimed that no mercy whatever should be shown to the murderer: that if convicted, he should inevitably be hanged. Well, notwithstanding this inexorable rigour, 188 murders were committed during this period. In the second period, clemency began to prevail: and during the sixteen years of the experiment, out of 27 persons convicted, only 17 were hanged; and yet there were but 90 persons committed for murder, during the whole period. With only 62 per cent. of executions, instead of 100 per cent., the crime decreased *more than one half!*

We will take another illustration of our position, from the same Parliamentary Return (No. 618, session 1843). The years 1815, 1817, 1818, and 1829, witnessed the execution of all who were convicted of murder in England and Wales; sixty-six in number; and in the four years immediately following these years, the crime of murder *increased 12 per cent.* In the years 1836, 1838, 1840, and 1842, only thirty-one were executed out of eighty-three condemned; and in the years succeeding these, the crime *diminished 17 per cent.* Thus, when you hang all without mercy, you increase crime; when you save above half, you materially lessen it.

From the same source we gather the following even more striking result. 1. In the years, from 1834 to 1841, (inclusive) in the counties where *all* who were convicted of murder were executed, the number of murders remained in the following years as nearly as possible *the same*. 2. In the counties where commutations of the extreme penalty took place (during the same period), the years following exhibited a *diminution of 35 per cent.* 3. In the counties where a large proportion of the persons committed were acquitted on the ground of insanity, the commitments *decreased in the succeeding years 32 per cent.* And 4. In the counties where there were commitments, and no convictions at all, the commitments in the following years were *fewer by 23 per cent.* 'Thus,' says a commentator on these returns, 'it appears, on the authority of these official tables, that the crime of murder flourishes most under a system of invariable executions; that it prospers more then, than when the mercy of the crown interposes with commutations of sentence; that it prospers more than under acquittals on the ground of insanity; and lastly, that it even thrives better than



under a total failure of justice, through the acquittal of all who stand charged with the crime.'

To the foregoing statements we add but one more fact, and it clenches and confirms every argument we have used on the subject. In the three consecutive years—1834, 1835, and 1836, *no executions whatever took place in England and Wales*, and these were *the only years in which no conviction for murder took place in this country*. For this fact we are indebted to the Parliamentary Return, No. 21, printed in 1846.

May we not now safely say, in the words of one of the writers before us, 'The times are rapidly approaching, when the gallows will be viewed in its true character, as a gross political blunder: and this is the charge on which the punishment of death must stand convicted at the bar of reason—that it is in itself a cause of the commission of murder; that it increases the exposure of every innocent man in the country to the arm of the assassin; that it defeats the end it was intended to advance, and promotes the very crime it is inflicted to repress!'

But we must hasten to conclude. We have treated at such length the *facts* connected with our question, that we have left ourselves no room to consider its *philosophy*. For full and convincing expositions of this branch of the subject, however, we may direct the reader to the various works named at the head of our two articles, especially to the productions of Lord Nugent, Mr. Dickens, the Rev. Mr. Christmas, Mr. Cooper, and Mr. Rowton. We will content ourselves, therefore, with one or two brief observations on the general question, and then bring these remarks to an end.

We have charged the gallows with increasing the crimes it seeks to repress; and we have proved our point, by showing that crime advances or diminishes just as the penalty of death is more or less employed; and that when it is not employed at all, crime falls to its minimum. If we are asked to account for these facts, we reply that we find a full explanation of them in the nature of the punishment itself. By invading life, it teaches disregard for life; by furnishing an example of brutal violence, it calls forth the violent passions of the people; by preaching the doctrine of 'life for life,' it inculcates the unchristian principles of retaliation and revenge. The public infliction of death further demoralizes the community, by collecting to its murderous exhibitions crowds of the most vile and mischievous members of the state; who find a horrid pleasure in the spectacle, and go from it to scenes of drunkenness, riot, and debauchery, to plot new wickedness of every kind. Capital penalties deprave the moral sense, also, by asserting in effect the dangerous and frightful doctrine, that mercy may be dispensed

with as an element of human punishment. There are other grounds, and very important ones, for affirming that the pain of death is inexpedient. It often destroys the innocent, a charge to which no other punishment is liable; it corrupts the source of justice—the judgment-seat, the jury-box, the public—by leaving the decision upon a murderer's guilt to the issue of a doubtful struggle, between the feelings of humanity and the sense of public duty; and by its necessarily uncertain operation, it excites in the breast of criminals those hopes of impunity which it should be the great object of all governments to preclude. Beyond all this, we regard the gallows as founded on a fallacy. It is based upon man's *supposed* fear of death; a fear which, however universal in the abstract, is utterly unrealizable by the mind; a fear which has obviously been despised by every criminal who has been hanged; a fear of which men think so lightly, that they will encounter it for honour, for glory, for sport, nay, even for hire; a fear concerning which Lord Bacon most truly says:—‘There is no passion in the mind of man so *weak*, but it mates and masters the fear of death.’

What more need we say? Every branch of our inquiry has led us to the same result, that ‘all hanging is a bungle;’ and that the sooner we abolish the gallows the better. We will simply, then, invoke the strong voice of public determination in the matter; and conclude by avowing our firm belief, that with that powerful will once fairly and fully expressed, the rotting timbers of the gibbet will before long crumble utterly into dust, and be remembered only as ‘the moral wonder’ of a barbarous age, disgraceful and degrading to the generations which endured it.

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ART. II.—*Five Years in Kaffirland: with Sketches of the late War in that Country, to the Conclusion of Peace.* Written on the spot, by Harriet Ward. London: Colborn. 1848.

THE chief interest of these volumes is centred in the narrative of passing events. Mrs. Ward's whole attention seems, in most instances, to have been rivetted on the exciting and novel scenes around her, so that her mind occupied itself but little with observing the national characteristics of those races among whom she found herself for the time compelled to sojourn. She prefers dwelling on the various exciting incidents which marked a campaign into the wilds of a country inhabited by barbarous tribes of men, to sketching the manners, habits, and modes of life obtaining among those tribes. Her fancy delights

in stirring the reader's imagination with vivid descriptions of battles, pursuits, and escapes; of sudden alarms and rapid marches; of midnight bivouacs, and wild adventures in the heart of a territory, swarming with a hostile population. And this circumstance serves to account for the comparatively small portion of her narrative, which Mrs. Ward devotes to the delineation of those features of savage life, which her experience rendered her so eminently fitted to describe. Perhaps, however, if our authoress had devoted those pages of her work, in which she indulges in speculations on colonial policy, on the delinquencies and remissness, the want of severity, the unseemly mildness of the Home Government,—if, we say, she had devoted those pages to the subjects above alluded to, the public would have read her work with much more profit, and doubtless very much more pleasure.

Yet, in saying this, we must not be understood to mean that the present volumes contain no valuable, no new, no curious information. On the contrary, as she hurries us with the rapidity of an able writer through the account of a succession of the most exciting events, our authoress allows us to catch, by the way, many interesting glimpses of the characteristic features of Kaffir life. Certainly, though we should at all times endeavour to learn as much as can be learnt of the manners and customs of barbarous nations, our curiosity is seldom powerfully excited by details concerning the tribes of Kaffirland. We meet among those races of men with little of that pleasant, childish simplicity, that trusting confidence in the stranger, that affection and willingness of disposition, which mark the character of so many other savage populations. The Hottentots, the Kaffirs, and the Fingos, bear, according to most accounts, more resemblance to the blood-thirsty and ferocious inhabitants of some of the districts of interior Australia, than to the ignorant, bead-hunting, though docile, and easily reclaimed, and easily taught Dyaks of Borneo, and the other islands of the Indian Archipelago, or the wild and uncultivated, but simple and confiding bushmen of some of the other provinces of the gigantic island of Australia.

Since the time of old Bartholomew Diaz, travellers have entered into much discussion concerning the character of these tribes. Dr. Sparrman describes them, and, we dare say, with much correctness, as neither very amiable nor very ferocious. Le Vaillant, however, seems to have been enraptured with them, while the venerable Jesuit Tackard, Lieut. Patterson, and Mr. Forster, all agree that they are a filthy people, but possessed of many good qualities, such as Mrs. Ward seldom allows them. We are inclined, therefore, to balance between



these varied accounts, and declare the Kaffirs to be, like most other nations, made up of the good and the bad. Certainly, much has been attempted to be done towards bringing them within the circle of civilization, and but comparatively little has resulted from these endeavours. But we have seldom founded a colony which has been the scene of so long and continued troubles as Kaffirland. Wars and dissensions have been the normal state of affairs, and now that there is some prospect of that territory being recognized in the great scheme of the world, as a place where commerce may flourish, and manufactures and the processes of agriculture may be carried on, undisturbed, we trust the change will soon be felt in the condition of things.

As to the policy which originated, and the plans pursued in the carrying out of the late Kaffir war, our readers are already acquainted with our opinions on these points. Suffice it here to say, that we rejoice at the termination of a campaign so harassing to all employed in its prosecution, and so utterly obstructive to the growth of trade, and the spread of civilization and Christianity in the wild provinces of Kaffirland. Our object in the present paper will rather be to present the reader with a succinct sketch of events and incidents, touching on the manners, character, and religion of the tribes mentioned in the course of the narrative.

Mrs. Ward left England in May, 1842, on board the 'Abercrombie Robinson,' troop ship, and paid, by the way, a visit to Madeira, a town which has been so continually described, that our authoress wisely abstains from making many remarks upon it. We have but a poor account of the comfort enjoyed on board the vessel, and Mrs. Ward seems to have no pleasant associations connected with it, for she hurries with rapidity over the voyage, and we catch sight of Table mountain almost before we fancy we have well cleared the view of Funchal.

But before landing on African ground, we must extract, as a specimen of the vigorous language in which the whole is written, a brief portion of Mrs. Ward's description of the wreck of the 'Abercrombie Robinson,' and 'Waterloo.' Towards evening of the 27th of August, while riding at anchor off Cape Town, a tremendous tempest arose, which drove the first named vessel from her holding ground, and carried her with impetuous swiftness over the waves, towards a most dangerous part of the shore. Our authoress says:—

'I remember, at the height of the storm, when the noise of the thunder could scarcely be distinguished from the roar of the waters, and the torrents of rain,—when the elements, in fact, howled wildly and angrily at one another, when the lightning, pouring, as one may call it, on our

decks, blazed in at the fore-windows of the cuddy,—being horror-stricken at the ghastly faces assembled under the flickering and uncertain light of a broken lamp! I can remember, when the water rose up to my knees, being carried between decks with my child, through rows of shrieking women and silent soldiers. The conduct of our men was beyond all praise.

‘For some time, I sat on a chest with my child, near the forehatch, the ship continuing to drive, every moment coming against the sand, and our only hopes resting on the arising of the dawn, which would show us *where we were*; the floods of rain preventing the lightning, vivid as it was, from doing this distinctly. About six in the morning, the captain came down among us with some comfort, saying, he hoped the ship was making a bed for herself in the sand. In truth, she had been all night like some great creature, scratching her way through it with restless impatience. The rudder had been carried away from the first, the stern-cabins knocked into one, and the sea bubbled up like a fountain, in the after part of the ship.

‘There were rocks not many hundred yards from us, on which the ‘Waterloo,’ convict ship, had already struck. Meanwhile, our people, attaching a rope to a shot, fired it on shore, but in vain. All night, the guns from the fort and other vessels had been giving awful warnings to the town, while the constant roll of musketry on board the convict ship, led us to imagine that the convicts were mutinous. This was, however, discovered afterwards not to be the case; they had been loosened from their bonds on the first alarm, and desired to make use of the best possible means of escape.’—Vol. I. p. 15.

A boat, with a rope attached to the vessel, was at length enabled to get on shore, by which means an anchor was hove out and driven into the sand. When the surf-boats put off to rescue the crew and passengers, Mrs. Ward nobly set an example of patience, by waiting till several persons had gone on shore, before she left the ‘Abercrombie Robinson.’ Of the unfortunate tenants of the ‘Waterloo,’ convict ship, not above ten escaped; the rest were either drowned soon after the vessel parted into fragments, or were dashed to pieces by the floating masses of timber from the wreck.

From the moment our authoress engages in the description of her African experiences, the stern language of a soldier’s wife makes its appearance in her pages. We are presented with a brief sketch of the establishment of the colony, of the various discontents of the Dutch settlers, of the present unsafe and unsettled condition of the province; and then Mrs. Ward, unhesitatingly plunging into the vortex of colonial politics, sketches out a plan for the better preservation of peace and tranquillity. It embraces a system of rigorous measures calculated, we think, rather to inflame the angry passions of the Kaffir tribes, than to conduce to the ultimate safety of the

settlement. We do not exactly know in what sense Mrs. Ward uses the term 'Vagrant Act;' however, she seems not at a loss for penalties and punishments to be inflicted on the infringers of its regulations. We must establish a treadmill at Graham's Town, and thither are to be sent the indolent and the homeless Kaffirs, who may be detected in the act of doing nothing;—we must make the Keiskama the boundary between Kaffirland and the colony.' This may be very well, we *must* settle a definitive boundary and proclaim it to the natives that that boundary is to be respected, that once having crossed it, they are on British territory, and must submit to the regulations imposed by British law. But, we cannot so well concede the next proposition, which lays down that 'no Kaffir, armed or unarmed, shall cross the Keiskama, at least without proper authority.' This sentence implies a doubt as to whether the Kaffirs should be permitted to cross at all. If such is the system on which our colonial policy is to be founded, we may well, as a nation, be accused of inconsistency. In one part of our empire—in almost every part, save Kaffirland—a man may cross our frontiers, and re-cross, without let or hindrance. No one troubles him with questions as to his purpose; But in Kaffirland, the system, forsooth, of passports is to be adopted. The first native who dares to appear on this side of the Keiskama, without being armed with authority from some British official, is to be sent to the treadmill, and if this prove not sufficient warning, the next offender is to be condemned to hard labour on Roben Island. We shall make no further comments on this portion of Mrs. Ward's work. Those who wish to know more of the system advocated, must consult the chapter for themselves, and judge as to whether it points out a prudent, or just, or humane, or conciliatory course of policy.

On Wednesday the 8th of March, 1843, our authoress started from Port Elizabeth, on her way to Graham's Town. Accompanied by her husband, she occupied a huge waggon which formed one of the great train, or caravan, about to wend its way across the barbarous wilderness lying between the two towns. For the first day or so, the route lay over a vast stretch of green country, divided and portioned off, as it were, into huge *partèrres* of cultivation by dense clumps of bush and copsewood. In the distance a ridge of lofty hills, whose summits formed an indistinct blue horizon against the sky, rose as a background to the landscape. When night came on, regular as clockwork were the arrangements: a long array of tents was erected on some soft, green patch of sward; the soldiers piled their arms, fetched wood and kindled blazing fires; the operations of cooking were carried on with vigour, hearty meals eaten, sentries posted, the



weary travellers lay down to sleep, and the moon rose over a still and picturesque scene.

Scarcely less striking were the arrangements of the march. Soon as daylight broke over the hills, the regiment fell into order, the cattle were yoked, stragglers collected, and the waggon moved on, preceded by the military, now presenting the spectacle of a glittering cluster of arms, and now altogether lost to sight. A little incident which Mrs. Ward relates as happening during one of these marches, is worth noticing. It shows that the natives of these wild regions are not so totally worthless and dangerous a set, as our authoress would sometimes appear to consider them. As the cavalcade wound along a pleasant tract of country clothed with green grass, and adorned with clumps of the golden-flowered mimosa, a waggon was observed drawn up close to a bush, while a party of Fingos,—two men, three women, and some children, were seen seated in the shade, evidently busy with some volume of great interest, which one of the men was reading aloud. The surprise of the English travellers was increased, when they found that the book which seemed to engage the attention of the savages so deeply, was the bible, translated into the Kaffir language. The reader, pausing as he beheld the interested faces of the new comers, looked up, and uttered, with an expressive movement of the head, the single word ‘good.’

As a companion to the above anecdote, we extract the following :

‘A poor Fingo had made several applications, from Graham’s Town, to a missionary nearly fifty miles off, for a bible ; but for some time, there had not been a sufficient number printed to meet the devout wishes of those ‘who would become Christians.’ Two years elapsed from the time this man first asked for his bible. At last, one day, he suddenly appeared at the station, and asked the missionary for one. The latter replied, that he was afraid he yet had none to spare ; ‘but,’ said he to the Fingo, ‘if you will do what business you have in the neighbourhood, and come to me before you leave, I will endeavour to procure you one, if such a thing is to be had.’ But the poor traveller surprised the missionary, when he said he had no business to transact there, save the one thing which had brought him so far. He had come all the way from Graham’s Town, on foot, for the bible ; he would wait till one was found, or even printed for him ! So the missionary was constrained to seek for one immediately, which he succeeded in obtaining ; and the Fingo then offering half-a-crown (the price of the book being eighteen-pence), the missionary offered the shilling in change, but the traveller waited not. With the precious book it had cost him so much trouble to obtain in one hand, and his knob-kuirrie\* in the other, away he trudged, light of foot, and certainly, light of heart.’—Vol. I. p. 93.

\* A stick with a knob at the end of it, used by the Kaffirs and Fingos, as the Irish use their shillelaghs ; in fact, a war-club.

Possibly, Mrs. Ward may imagine that the system she advocates, of excluding the Kaffirs almost wholly from the British settlements, would serve to remove obstructions in the way of the multiplication of such instances of sincere conversion to a belief in the truths of the Gospel. However, we imagine that Kaffirs as well as Fingos, should enjoy the unrestricted right of ingress into our colony, that they too may have a chance of participating in the benefits of the extraneous civilization, imported of comparatively late years into their country.

Journeying along over a tract of country, now cultivated and well peopled, and now desolate and in a state of nakedness, the cavalcade at length reached Fort Peddie, on the eastern side of the Great Fish River; here, at the commencement of the war, was built a strong tower, defended by a six-pounder gun, while neat barracks, garrisoned with a respectable number of troops, inspired confidence in the hearts of the dwellers in those snugly-thatched cottages, whose tall white chimneys peep out from among the surrounding trees. The climate of the place is good, and being within a moderate distance of several missionary stations, it is in all respects an important post. At one of these stations, (D'Urban,) Mrs. Ward witnessed the baptism of fourteen Fingos, who came decently clothed and in an orderly and quiet manner, to assume the religion of Christ. One aged woman wept freely and fast during the ceremony. At the close of the service, the missionary allowed the congregation to put to him questions concerning the faith he preached. A day or two after, our authoress had an opportunity of hearing a conversation between the English missionary and one of his Kaffir auditors, who had attentively listened to the whole of the discourse.

'You say,' said the native, in a measured and gentle tone, 'you say that all the world is wicked, dreadfully wicked; that man is condemned to punishment, except he be redeemed by faith. You tell us that everyone is wrong, and God alone is right.'

'Certainly,' replied the missionary, 'except we believe in and obey God we cannot be saved.'

'And you are sure,' pursued the Kaffir, 'that man is very wicked, and God alone is good?'

'Quite sure,' replied the missionary.

'And there have been thousands, millions of men, and many, many countries far away and beyond the waters,' continued the savage, 'full of sin, who cannot be saved, except they love and fear God, and believe in him, and in all these mysteries which none of us can understand, and which you, yourself, even cannot explain?'

'It is but too true,' said the missionary.

‘And there is but one God?’ inquired the Kaffir, with a tone of doubt.

‘But one God,’ was the solemn answer.

The savage pondered a while, and then remarked, ‘What proof have you that God is right, and men are wrong? Has no one ever doubted that one being wise, and the other being weak and sinful? How strange that the words of your one God should be allowed to weigh against the will and inclination of the whole world! Your cause is hardly a good one, when hundreds and millions are opposed in deed and opinion to one! I must consider your arguments on Christianity well, before I decide on adopting your creed.’

Mrs. Ward next presents us with an able picture of Kaffir superstition. She seems to have been at considerable pains to collect information concerning the popular belief in the power of the ‘rain makers,’ about whom other travellers have written so much. A curious anecdote is related, which, no doubt, exercised a bad influence over the minds of the ignorant people.

A rain-maker, of great celebrity, accused a poor woman of bewitching the clouds so as to cause a drought; the unfortunate creature was seized, and without much ceremony, tried, condemned, and put to death. Strange to tell, on the following day, the clouds let fall their watery treasure in such abundance as to flood the whole country. This was immediately ascribed to the execution of the witch. We remember having read, in Mr. Moffat’s ‘Missionary Scenes and Labours in Africa,’ of a rain-maker whose pretensions were upset, and whose machinations against Christianity were completely scattered before the breath of the English missionary; the population he had so long deceived rose against, and drove him forth from their presence. All his schemes of deception returned upon himself, and a heavy blow was, for the time being, dealt against the superstition, which has, however, again revived and is now flourishing in all its full vigour.

But Mrs. Ward soon resumes her observations on the policy which should be pursued, and indulges in the expression of sentiments which, to say the least of them, are unfeminine. When we open a work professedly written by a lady, the wife of a British officer, we expect to find in it some evidence of a woman’s pen. In the present work, we regret to say, little such evidence is to be found. Instead of restricting herself to the details of events, our authoress rather delights to give vent to her opinions on transportable offences, on the treadmill, on cattle stealing. Nor are her opinions always founded on the most equitable principles. If, for instance, English officials happen to visit the kraal of any chief, and there find, no matter in what corner, or



with what ingenuity secreted, cattle which have been stolen, or of which the head-man can give no satisfactory account, he is, forsooth, guilty or innocent, to be seized, and placed for three months on the treadmill, *for the first offence*; but for the second, transportation is not considered too heavy a penalty. ‘‘Oh my! how shocking!’’ cries the cambric-handkerchief philanthropist,’ says Mrs. Ward, with the utmost contempt. Truly, we should infinitely prefer hearing this sentiment, than the sentiments of a woman who dwells on the utility of hanging, to save expense.

This is not all we have to say of Mrs. Ward’s justice. She recommends seizing one Kaffir chief, guilty or not guilty, and keeping him in jail ‘till the right man is produced.’

‘The absurd manner,’ continues our lady author, ‘in which we coax the Kaffirs, and injure our own cause by the ill formation and execution of our laws, is so commonly the theme of conversation, that a child of ten years old produced a rough caricature of John Bull, hat in hand, reading a treaty to a Kaffir. The queen looks on, smiling, and gently exhorting the Kaffir to listen, which he does with his finger on his nose. In the distance, Prince Albert bows to Kaffir children, with knob-kurries in their hands, and while the queen, prince, and John Bull are so civilly employed, the back-ground is filled with Kaffir boys, driving off colonial cattle towards the kraals, where the women await them, and a Kaffir ox looks back on the scene in the fore-ground, sneering at John Bull’s folly.’—*Ib.* p. 137.

As to whether a pacific and conciliatory course of policy is to be preferred before the prosecution of a desolating and exterminating war, we leave our readers to judge. We are sick of Mrs. Ward’s follies, and shall here take leave of them, at least for the present, and devote the ensuing part of our paper to the more pleasing chapters of the work, which treat of the history of the journey, and abstain from speculation.

Though not generally a very beautiful country, some places in Kaffirland afford excellent landscapes. The ride between Bathurst and the Kerrie is an example, and the lovely path which leads to the sands from Port Francis presents an exquisite picture. It runs, as it were, through a natural shrubbery, densely planted with many varieties of flowering shrubs and trees. This is bordered by two walls of grey rock, sprinkled with patches of the stately euphorbia, while the velvet sward under foot is enamelled with a brilliant display of flowers of all colours. Festoons of jessamine, and the scarlet-fruited cucumber plant, climb in every direction, or sway to and fro over the pathway.

Turning from this pleasant picture to events of a stirring nature, we find Mrs. Ward at Graham’s Town, anxiously

awaiting, with the rest of the population, news concerning the movements of the British force, which it was expected would soon come to a sanguinary engagement with their Kaffir enemies. The expected intelligence soon arrived. Major Campbell and Colonel Somerset, on the 15th of April, brought the troops under their command into the centre of a valley, where immense numbers of the enemy were gathered together. A spirited action immediately commenced, which was rendered the more harrassing to the English, rather from the difficulty of the position, than the loss of life experienced. However, through the effect of judicious management, success was at length achieved, and the enemy driven from his post.

On the 12th, in compliance with instructions issued by Colonel Somerset, Major Gibsone, with a train of one hundred and twenty-five waggons, moved from Burns'-hill with a van and a rear guard, his number of soldiers not being sufficient to allow of any being detached along the line. On passing a kloof on the road-side, a sharp volley of shots rattled out upon them. To silence these, Lieut. Stokes, with a single gun, advanced to the top of a small eminence, and fired a shell on the kloof. However, in a short time, an immense number of Kaffirs rushed down the hills in all directions, seized on a waggon, and commenced a rapid discharge of bullets. Their force was so great, and became so continually augmented, that Major Gibsone, to prevent his own troops being massacred, was compelled to retreat upon the position he had just left. In spite of a small re-inforcement, it was impossible to save the baggage-waggons from which the Kaffirs had unyoked the cattle.

Many such encounters took place, far too many, indeed, for us to particularize them here. We now come to that portion of the narrative, in which Mrs. Ward describes the position of the English colonists at Graham's Town. For some time, rumours had gone abroad of an approaching descent of the Kaffir hordes upon the settlement. At length this report almost reached a certainty in the minds of the bewildered townspeople. All women were immediately recommended to seek the shelter of the barracks, built of stone and roofed with zinc, which had been lately erected. Confusion reigned everywhere. It being night, the busy fugitives could scarcely distinguish each other, as they packed up their valuables: some, clothes; some, jewels; some, money; others, papers of importance; while the object of every one seemed to be, to provide for the safety not only of herself, but also her companions. No one strove to rush before the other.

Meanwhile, the officers were coolly whistling, as they charged their pistols; the men-servants unslung and loaded their mus-

kets, while up and down the passages stalked the tall figures of armed troopers, fully accoutred for action, and ready to spring, on the instant, into the saddle. In the open courts were pickets of horses, neighing and pawing the ground with impatience; and above all this clamour rose the rattle of the muskets, which were being discharged in every quarter of the town, and the roar of the affrighted and angry oxen.

Without, the blaze and smoke of burning hamlets and homesteads rose along the distant cultivated grounds.

'About ten o'clock,' says Mrs. Ward, 'we were again warned of danger. Our first notice was the blast of the bugle, sounding the 'alarm' close under our windows. Fatigued with the watching and excitement of the previous night, we had retired early to rest. We were up in an instant. Lucifers were at a premium that night, I am sure; great was the smell of brimstone—fit atmosphere for the expected foe. Still, we had become too much accustomed to the cry of 'Kaffirs!' to feel great alarm, and to say truth, there was something in being within stone walls, and under a roof on which the brand could take no effect.

'Hark! the gun booms from the battery above. What a volume of sound rolls through the heavy air! Another blast from the bugle, taken up and echoed back by others: Another sound of cannon from a piece of artillery, within three hundred yards of us! How the windows rattle! how all the roof shivers! We are all up and astir; the children laugh, and cry, and look bewildered; and the monkey hides whatever is most wanted; and the doors fly open, and there are—not Kaffirs—only terrified women and children, seeking refuge.

'I was in much alarm, from the dread of muskets going off in the hands of the people unaccustomed to them, but had less fear of Kaffirs than on the previous night, as we had no cattle in the Drostldy Square.'—*Ib.* 244.

The murder of Colonel Norden is next touched on, after which, Mrs. Ward describes the appearance presented by a large body of Kaffirs advancing to the onslaught. They are compared to a flight of locusts, sweeping down as they do, swift as the wind, and sending before them clouds of glittering assegais or spears, and bearing all before their impetuous charge. An incident, related as having occurred many years ago far up the country, is peculiarly striking. An officer, who, with a regiment of English soldiers, had slept at the summit of a ridge of mountains, rose early in the morning, and looking over at the plain below, beheld a black mass of what he supposed to be cattle, reposing on the ground. At length, however, a solitary figure stood up from the middle of the level plain, and waving a spear, there rose, as if by magic, from beneath their shields of hide, innumerable Fingo savages, armed and accoutred for battle. In a moment the loud, full, chant of their war-song filled the



valley with a wild and strange harmony. The dusky warriors formed into phalanxes, and advanced up a winding ascent, to where the glittering arms of the British regiment crowned the top of the ridge. The two forces were allies,

Mrs. Ward, a few pages after, repeats a remark which has been often made. The Kaffirs never injure the women and children of their white enemies who may fall into their power. This, our authoress ascribes to *policy*, not *generosity*.

We cannot here pause to accompany Mrs. Ward through her description of the various actions, which took place between the English forces and their Kaffir enemies. Our readers will, doubtless, thank us more for presenting them with the following extract, descriptive of the plain around Fort Peddie, and the scenes daily enacted in it:—

‘The morning presented the awful spectacle of the gathering of the tribes of the hills around the open plain, on which the buildings at Fort Peddie stand, in somewhat scattered order. I know the place well. A solitary tree is the only thing of the kind on which the eye rests in looking from the green plain, forming the parade ground of the garrison. All around are open, undulating plains, studded with ant-heaps, and cultivated here and there by the poor Fingos, with Indian and Kaffir corn, and pumpkin vines. These vast and almost desolate plains are bounded by steep ascents, and here and there, a dark shadow in the landscape indicates the entrance to a kloof. It was here I once witnessed the gathering of the Fingos from these hills to a war-dance. Their wild war-cry issued from their kraals, and then, coming forth, they united in phalanxes, and advanced with their triumphant chant. Such a gathering as this, is a savage sight. As they approach an imaginary enemy, they shout and yell, then form circles, while some stern old warrior goes round with his war-club, as if striking down the bodies of the wounded and dying foe; then, extending themselves in skirmishing order, they again advance, assegai in hand, while with shrill and exciting cries, and beating their shields, their leaders spring and leap with the activity of the tiger.’—Ib. p. 277.

Fort Peddie was attacked by nine thousand Kaffirs, who advanced, forming a line at least six miles in length. However, meeting with a spirited resistance, they retreated, but not without carrying off a large number of cattle. In the meanwhile, Colonel Somerset, with his brave force, was cutting a passage through a territory where enemies were swarming in every direction. Some spirited engagements took place, success generally resting on the English side. At length, the above-mentioned officer determined on forcing a passage across the Kei, in pursuit of Pato, a Kaffir-chief of some celebrity. This undertaking was effected with little difficulty, and possession was taken of the hostile district.

Mrs. Ward’s narrative now assumes the form of a journal,

and increases, rather than diminishes, in interest. We are treated to less of speculation, and more of incident; and, with a writer such as our authoress is, this may always be regarded as a recommendation. A melancholy adventure is told in the course of the relation. Nineteen burghers having entered a rocky kloof, densely studded with bushes, which was known under the portentous name of Hell's Port, were suddenly surrounded and fired upon by a party of Kaffirs, amounting to two hundred, posted on the hill tops around. For some time they answered the enemy's discharge with success, but were at length compelled to make a desperate retreat, in the hope of reaching their camp, which, after much difficulty, they were enabled to accomplish. Among those who fell were two brothers of the name of De Villiers. One of them was seriously hurt by a shot, and the other, running back to aid him, was earnestly entreated to seek his own safety. To this, however, he could not be brought to consent, and at length was shot dead, and laid beside him whom he would not desert to save himself. Three others were slain, and, a day or two after, five coffins issued in melancholy procession from the town, and were deposited in a neighbouring graveyard.

At the end of the first chapter of Mrs. Ward's second volume, we meet with a sentence which, if it really emanated from a woman's mind, we must say, does no credit to its writer. We shall transcribe it without comment:—

‘In short, England will bestow no laurels on the heroes of Kaffirland; for it is but too true, that where no booty is to be got, at the risk of life, our magnanimous and philanthropic country will award neither credit nor thanks.’

We are soon after presented with an account of the Malay new year's festival. On the occasion, which was one of great solemnity, a large crowd assembled in a long, low room round the white-robed priest, who led the chant of the inspiring, though simple, war-song. The end of the apartment was decorated with a great profusion of flowers and foliage, and illuminated by a Chinese lantern ornamented with coloured tapers. At the other end of the chamber, groups of Hottentots stood snapping their fingers, in concert with the wild songs.

Here is a brief description of a burial, as it takes place among the tribes:—

‘Some weeks ago, a Malay was buried. The grave was very deep; within it were placed a number of planks in a slanting position, forming a kind of pent-house, and within this was laid the body, sewn up in canvass cloth, so placed as not to touch the side of the tomb. Some biscuit, a pipe, and some tobacco, were left within the pent-house, beside the corpse, and it was then covered in. The ceremony was

closed by a party assembling round the grave, and continuing in silent prayer for two hours, at least.'—Vol. ii., p. 58.

Colonel Somerset now returned from the expedition he had undertaken across the Kei River, during which he had captured three thousand head of cattle. After this, a concentration of force took place at Graham's Town, and negotiations were entered into with some of the hostile tribes, to whom terms of peace were offered: first, that they should lay down their arms; secondly, that they should restore the colonial cattle; thirdly, that the country as far as the Kei should be placed under British rule, those Kaffirs who remain on this side submitting to such regulations as may be made for their future government. Nothing, however, resulted from these negotiations, and aggressions and retaliations again followed each other in rapid succession, the success of both sides being varied according to circumstances. Mrs. Ward's description of the mutiny which broke out among the British troops is peculiarly graphic. We must not here pause to detail any of the circumstances of the tumult, which, however, was soon suppressed, and gave place to order.

Gradually, the contest between the English and the Kaffir forces assumed a decided appearance. It was evident that numerical superiority and ferocious valour were succumbing before the discipline and cool courage of the West. The enemy no longer dared to oppose a bold front to the English troops. Their mode of warfare was changed from the furious onslaught to the treacherous ambush. Chief after chief sent in offers of submission, some affirming with the utmost coolness that the war had lasted too long, since their crops had been injured for want of proper care. During a period when little of military interest pervaded the face of affairs, Mrs. Ward takes occasion to delineate some of the characteristics of the African races. In the following extract, we immediately discover another instance of our authoress's unrelenting, bitter hatred of the Kaffir tribes:—

'One peculiarity of Africa has been singularly striking, during the continuance of this wretched war. I allude to the variety, constantly presented, of the coloured tribes. First comes the stalwart Kaffir, with his powerful form, and air of calm dignity, beneath which is concealed the deepest cunning, the meanest principles. Some call the Kaffir brave. He is a liar, a thief, and a beggar, ready only to fight in ambush; and, although, to use the common expression, he 'dies game,' his calmness is the result of sullenness. Are such qualities consistent with bravery of character? Next to the Kaffir ranks the Fingo, differing from the Kaffir as much as the Irish do from the English, being more mercurial, and less methodical. After these may be mentioned the Kat River Hottentots and the Griquas, half-casts between Dutch and English. The Hottentots, whom I have already described, are little appreciated or even



known in other countries. This war has proved that they make the most efficient soldiers, for the service in which they have been engaged. The little stunted Bushmen, too, the real aborigines of the land, have assisted us with their poisoned arrows, and are a keen-witted race. Their talent for mimicry is well known, a proof of their quickness of observation. The Malay may be considered naturalised in the Cape Town districts. The Afrianders, a cast between the Malays and Europeans, with apparently a dash of Indian blood among them, are a remarkably handsome race; the women would make fine studies for Murillo beauties. Their hair is their chief ornament, and is of the deepest black. They take great pains in arranging it, and twist it up quite classically at the back of the head, fastening the shining mass of jet with a gilt arrow, or a miniature spear.'—Vol ii., p. 111.

Besides these, Mrs. Ward enumerates the Zoolahs, inhabiting the east country, between Kali's territory and Natal. The west coast negroes have been trained into tolerable discipline under English officers. These are the liberated Africans, who have been brought from the depôt at St. Helena, whither they had been taken by the vessels of war which rescued them from the hands of the slave traders. None of them are ever willing to leave that place and return to their country, as there they would be liable to be again made the objects of traffiç.

Colonel Somerset and a large force now entered upon another expedition across the Kei River, with the object of recovering some of the stolen colonial cattle. To accomplish the passage of the stream was a somewhat difficult task. Thousands of the enemy lay encamped within a short distance, on the opposite side; while it was known that spies lurked in every direction. But it was nevertheless determined to carry out the project. The reward to be obtained was great. Besides the seizure of vast herds of oxen, the British troops anticipated with pleasure the march through a country so different in every respect from the colonial districts, where little of the grand or the magnificent was to be seen, and to which use had rendered them, moreover, familiar. Beyond the Kei, the country presents a variety of beautiful landscapes. The high mountain slopes are clothed with vast forests, and between these, lie picturesque and fertile valleys, watered by broad, clear, and pure rivers; while groves, composed of trees magnificent for their height and foliage, dot the extensive sweeps of meadow land.

However, a melancholy catastrophe occurred, which served to damp the ardour of the troops. Three officers, — Captain Gibson, Dr. Howell, and the Hon. Mr. Chetwynd, accompanied by four mounted Hottentots, and a small party of infantry, went out as foragers, and seeing a group of cattle at some distance, those who had horses immediately rode

in the direction, leaving the infantry at their posts. On returning, a large body of armed Kaffirs confronted them, and immediately poured in a volley. Dr. Howell's horse fell at the first fire. The other officers fought nobly, while a shot or a charge of powder remained to them; but all were overpowered and slain long before assistance could be brought up. Ten miles beyond the Kei, at a spot known as Shaw's Fountain, the three British officers are buried, with no stone over their graves.

After an inroad into the hostile territory, in which eight thousand head of cattle were secured, the force fell back on the Buffalo River, much weakened by sickness and an unremitting series of petty conflicts with the enemy, who disputed every position. Indeed, the Kaffirs seem to have been fully acquainted with every means of harassing and obstructing the progress of the foreign foes. The war between them and the colonists has been most disastrous for the present welfare of the settlement, though, in the end, we will not take upon ourselves to affirm that the effect will not be beneficial. Ruin and desolation have been spread over the face of the land; the processes of agriculture have given place before the alarms of war; trade has been paralyzed; and the succession of hostile operations has proved a most effectual stumbling stone in the path of civilization. We extract Mrs. Ward's graphic description of one evidence that no peace reigned in the country:—

'We reached,' says our authoress, 'a farm. Although it had escaped the brand of the savage, it looked desolate. The owners had only returned within a few days. They had not deserted it till the last moment. Their cattle had been stolen, and their herds wounded. Their land was untilled, and the little watercourse was choked with rubbish. We passed on to the farm a short distance beyond it. The settlers, a man and his wife, perfectly English in appearance, but pale and harassed, stood surveying their miserable homestead. This, too, from its open position, had escaped the brand; but the windows were shattered, the door swung on imperfect hinges, the steps were broken, and grass grew between them. The little garden was laid waste; and, as if in mockery, a scarlet geranium streamed garishly over the crumbling embankment. Rank weeds filled the place of the plants, under the broken boughs of the apricot trees; and a few poor articles of furniture which had been borne away to Graham's Town, on the family flitting, stood in the open air, awaiting more strength than the exhausted mistress of the place could command. Her husband had been trying to bring a piece of ground into some sort of cultivation, but it was heavy work; the long drought had parched the earth, and the ruinous fence was scattered over the face of the patch which had once yielded vegetables.'—*Ib.* p. 143.

At length, however, the Kaffir war came to a close. Sandilla, its greatest prop, succumbed, and yielded himself unconditionally

to the mercy of his enemies, and thus ended a struggle carried on for so long in these African provinces, and under peculiar circumstances. The nature of the country was difficult and barbarous. The character of the enemy was subtle, ferocious, and uncertain. His vast numerical strength, his knowledge of the localities, enabled him to fall upon our troops at an advantage. Then, a campaign in such a climate is no enviable undertaking, since the almost unparalleled sickness which prevailed among our forces, served in a great measure to deteriorate their efficiency, during the several movements which took place. The number of cattle which changed and re-changed hands during the continuance of the war, is almost incredible.

There were still some hostile and predatory tribes to be subdued, among whom the Saikas were prominent. But in the course of time, these too were brought to a tolerable submission, and peace began to reign in Kaffirland.

One of the chief characteristics of Sandilla's character seems to have been cool effrontery. When in confinement, under the guard of British officials, he was told that if he attempted to escape he would be shot, he replied that, 'If he hadn't wished to stay, he would never have given himself up.' He then made a request for a daily allowance of wine.

'Do you usually drink wine?' was the question put to him.

'No.'

'Then why indulge in what you have never been accustomed to?'

'I am now the white man's child,' replied Sandilla; 'my father drinks wine, and I would do all things as he does.'

We shall make but one more extract from the present work. It is descriptive of the surrender to British authority of Pato, a notorious predatory chief, who had long exerted a sinister influence over the minds of the natives. While moving with a moderate force towards the Kei, Colonel Somerset observed two Kaffirs riding towards him with headlong, furious speed. These were two of Pato's councillors, who looked weary and frightened beyond description, but they rode straight for Colonel Somerset, and the moment one could recover his breath, he spoke. 'He came,' he said, from his chief with an offer of surrender, 'for the tribe was broken up.' The British officer demanded what guarantee he should have, that Pato would this time keep the word he had hitherto broken so often.

'I am Pato's mouth,' said the messenger; 'I speak his word; and *now* it is true. I have been told to ride, and find Somerset, or die.'

'Colonel Somerset,' says Mrs. Ward, 'refused to give any promise until Pato came forward personally and surrendered at discretion. With



this answer the councillors departed. Old Cobres Congo, Pato's brother, next made his appearance, and Colonel Somerset's peremptory command, to have the arms given up, was followed by the approach of Kaffirs in all directions, hurrying down the hills, and emerging from the apparently uninhabited kloofs, with guns and assegais. The eminences which had appeared untenanted by man, were now dotted with these wretched creatures; the silent Kruntzes gave up their warriors, long concealed therein; and two days afterwards, Pato, with twelve councillors, all haggard, dirty, and trembling with terror, approached the bivouac, and, in a state of the most abject misery, the treacherous savage surrendered himself.—Ib. p. 321.

This chief and his followers had been of late months reduced to so utter an extreme of want, that the warriors were compelled to devour their hide shields. The same circumstance took place among our Fingo allies, during the campaign in the heart of so inhospitable a country.

With regard to the merits, as a whole, of Mrs. Ward's book, we shall here say little. That it is ably written, no one will feel disposed to deny. But there is a great blemish discernible in the pages. We wish, for the authoress's own sake, and for the sake of the public, that the lengthy speculations and dissertations on colonial policy had been omitted. Without them, the volumes would have formed pleasant and instructive reading. As it is, however, the fault we have alluded to, only serves to shew in brighter contrast the portions of the work devoted to the narrative of events; to the delineations of manners; to the description of incidents, adventures, scenes of a wild and striking nature. Many novel facts, too, are presented us, concerning the religious beliefs and superstitions prevalent among the various races. Without the blemishes we have pointed out, the book would have been unexceptionable, and those blemishes are not sufficient to take away the interest from a work written by one so able, and on so felicitous a subject.

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ART. III.—*The Sunday Trading Bill.* 1848.

THE way to test whether any act is right or wrong, is to consider what the consequences would be, if everybody were to do it who has an equal right to do it. Apply this to traffic on the Lord's-day on all railways. The time cannot be very far distant when there will be a railway wherever there is a turnpike road. Our children will, probably, see this time, and, perhaps, all the present generation will not be under the sod, when railway transit, whether the engines shall be propelled by steam, air, or electricity, will be quite as general as ever turnpike roads have been. The iron lines will be as familiar to the landscape as are the yellow roads. Now estimate what the interruption to the day of rest must be, when there are Sunday trains on all these lines, with stokers, engine-drivers, and guards, and an amount of passenger-traffic increased by the compound ratios. If anybody has a right, irrespective of special circumstances, to travel on the day of rest, everybody has. If railway companies have a right to employ their servants in labour seven days in the week, all companies have a right to employ their servants seven days in the week. This is not *said* at present. But far less cogent things are said, and this will be said with force and acceptance to a people, to whom railways are familiar as turnpike roads, and Sunday traffic upon them an established custom. There is nothing which can be said in favour of the violation of the day of rest, on behalf of railways, which will not bear equally forcible application to other pursuits. Sunday railway travellers are a small class. The accommodation of the whole community with railway transit on Sundays is a matter of small importance, and the importance of it, such as it is, is constantly diminishing, as express trains, and electrical telegraphs, are increasing marvellously the transit power of the six working days of the week. The supply of the whole community with food liable to deteriorate, or perish, if not consumed speedily, is a matter of far more importance than Sunday railway traffic. Fish, flesh, and fowl, will not always keep. Sunday markets, and the Sunday labour of all concerned in dealing in them, carriers, sellers, or producers, have, therefore, advocates of keener and more confident convictions even than the advocates of Sunday trains.

According to all analogy, and all experience, the tendency of every pernicious innovation is to establish and extend itself. In communities in which only six days of labour are permitted, the people must be paid wages enough to keep them seven days.

This is an inevitable necessity. The restriction secures seven days keep for six days work, for all who live by labour. Every violation of the day of rest is, therefore, a step towards compelling all who labour to work seven days for seven days keep. The very existence in the community of any persons who work seven days in the week, is a precedent of degradation to the whole of the working classes.

We have said, to the whole of the working classes, but, in fact, there is only a very limited amount of truth in the distinction of ranks. All families belong to the working classes. All families, in the longest periods of their existence, live by the sweat of their brow. The distinction of noble and common men, of rich and poor, of capitalists and labourers, when closely searched, is seen to be applicable only to individuals, and even to them for only very brief periods. Of our richest capitalists, the oldest established are restored to the working classes, in the persons of a majority of the members of their families, by tracing the course of three generations backwards or forwards. Most of them begin life in the ranks of the working classes, and their children, and at latest their grandchildren, return to the common lot. The distinction of mankind into nobility and commonalty — one of the most wicked of the inventions of men — does not hold good in regard to any but a few members of the families called noble. Truthfully traced, the majority of the members of the families called noble, in spite of the privileges, monopolies, and protections, and pensions, of their order, are seen returning to the obscurity of the common life from which they only emerged for a season. The Marquis of *This* represents one of the most ancient families of the kingdom, (that is, four or five centuries possession of title and land,) but the men are not all dead yet, who saw his maternal grandfather with a pack on his back, as an itinerant chapman. The Duke of *That*, were he to call all his cousins together, would find the immense majority of them with the horny hands of rude toil. Riches and nobility are only exceptions in the histories of families, as they are in the actual state of society, while the rule is, labour for daily bread.

The working classes are the people. It follows, therefore, that an addition to the working time of the working classes would be an infliction of a seventh more toil upon the whole community, and would be sure to come, in the course of generations, as a sore burden upon most of the descendants of all the families in the land. It would be a worse thing than the restoration of feudal service to the extent of fifty-two days a year, on every man, woman, and child capable of labour.



Feudal service did not demand an additional working-day, but merely some of the working-days.

The purposes to which the day of rest have been consecrated, make the iniquity of any infringement of it more apparent. Seven working days mean, that no day shall be given to the teaching of Christianity, which is equivalent to saying, that all time shall be given to mammon, and none reserved for God, —all bestowed upon industrial advancement, and none upon moral and spiritual progress.

There is a peculiarity about Sunday trains, which causes and justifies the dissensions raised in reference to them. They are the first sanctions given by public bodies of the people to the infringement of a great and invaluable privilege of the people. By permitting Sunday trains, the people hurt themselves vitally and infinitely. We are aware, that the persons who chiefly advocate Sunday desecration are, some of them, of the class called capitalists. They are what certain humane writers describe as the beasts of prey of human zoology. They have the strength and the rapacity of carnivora. But they, in this case, seek to devour more than the bodies of their victims. Seven days of work a week mean no day for Christianity, no day for mind, no day for salvation.

Society advances in proportion as the highest moral, material, and spiritual ideas are inwrought into the institutions and habits of men. Christianity is the highest spiritual idea known to man. The first day of the week is the day of Christianity. It is the day for working into the minds and manners of men the beneficent element of the world. Now all the great things yet done for the bulk of mankind have been done by men of genius, piety, and worth, working the Divine spirit of the religion of Jesus into the laws and institutions of nations. Feudal thralldom and domestic slavery have been abolished in Europe almost to their last fibres. The day of rest was used by Christians in teaching the equality of the souls of all men, and hence the emancipation of serfs and slaves into freemen and citizens.

‘The rank is but the guinea stamp,  
The man’s the goud for a’ that—’

is but a lyrical and political expression of this truth in reference to aristocracy. Vergniaud expressed the same truth, oratorically, which Burns sang lyrically, when he exclaimed, ‘Nobility! that is, two classes of men,—one for greatness, the other for poverty,—one for tyranny, the other for slavery. Nobility, ah! the very word is an insult to the human race.’ The man who admits the equality of souls cannot refuse the doctrine of the

equality of men. All the glories of civilization we owe to Christianity, in the hearts of men who used the day of rest to preserve them or achieve them. Ancient literature, the philosophy of inquiry, and the love of art, were preserved by Christianity using the day of rest to obtain the power to preserve them. The Reformation would never have been, if there had been no day of rest. Christ's day is his fulcrum for moving the world. The Reformation was Christianity and the mind asserting the right of reason to judge for itself respecting the destiny and duties of man. The preservation of the day is more important than the liberty of worship, or of thought, or of conscience, because it is the greater liberty which comprehends them all.

Now, the question of the Sabbath-trains, as it is called, is this—Shall public companies, by deliberate votes, for their own profit and the convenience of travellers, be allowed to deprive their servants of any portion of the Christian day for spiritual culture? Is passenger-traffic a superior public interest to the absolute inviolability of the day? Are not votes sanctioning it, laying an arrest, as far as their influence can reach, upon the application of Christianity to the advancement of society? To work the spirit of Christianity into the characters of the men, and the operation of the laws of our day, is the highest advancement of civilization. However blindly some men may be working, and however narrow their views of the applications may be, the millennial notion is no chimera, though many spirits stand amazed at it, as in the presence of an inconceivable thing; and the progress of man consists in working the highest moral and spiritual element into all the arrangements of society. It is doing as we would be done by, upon the Stock Exchange. It is preferring one another in love, in the market-place.

Every hour taken from the time of any man which belongs to this purpose, every practice which sets an example of appropriating to trade the sacred property of the soul, is therefore the infliction of the most cruel wrong upon mankind. To conceive it, compare the wrong with any of the tyrannies which have caused the glorious revolutions that have advanced and elevated the mind of man. 'No taxation without representation,' was the principle of the American Revolution. What is that compared with the right of every man to a seventh of his life, for the benefit of his soul? 'Fair play to talent,' was the principle of the first French Revolution. But this is fair play to all minds. 'Freedom of worship,' was the object of the puritans. But this is a question of the right to the time to cultivate the conscience. 'Freedom of thought,' was the aim of the revolution of Luther. But the right now violated, is the right of

every man to continue a self-cultivating and thinking human being.

Our notions of liberty are very conventional and capricious. By allowing railway companies to establish precedents of Sunday labour, we have let in the small end of a wedge of tyranny, superior in iniquity to the crimes for which the Americans threw off the British connection, the French suppressed their nobility, and the English overthrew the Stuarts. However, the retribution is sure to come, though it seldom falls upon the beginners of the iniquities.

Undoubtedly, there is a good deal of Phariseism in the aspect of what is called the Sabbath movement. Pious people who began life sweeping shops, and now keep their carriages, sign petitions against morning and evening Sunday trains, and on Sundays dash to church and chapels in cabs, phaetons, and carriages. Men altogether above the vanities of life like an equipage, and the display of this evidence of their prosperity, may unknown to them contribute with the salutations of brethren, the smiles of sisters, the excitements of oratory, and the charms of music, in making the Sabbath a delight to them. But the people who employ coachmen and cabmen on Sundays, have no right to raise a cry against the employment of guards and stokers. The Sabbath was made for men, and not for steam engines. Gentlemen of this description, when they combine, saying, 'we believe the fourth commandment to be of Divine appointment and universal obligation, we know you don't, but we combine to make laws to compel you to keep it,' deserve the keenest ridicule. They do not know their place, and must be taught it. Horses are clearly included in the benefits of the day of rest. Rails do not need it. Our friend Sir Exeter Hall, or the Rev. Dr. Formal Drone, when he employs a carriage, a pair of horses, and a coachman, groom, and livery servant, is more guilty of Sabbath desecration, than a Sunday railway traveller, by the greater number of living creatures he deprives of their day of rest. Until the reverend doctor and the exemplary baronet make the Sunday a day of freedom from toil to coachmen, grooms, servants, and horses, his platform speech and solemn petition are just exhibitions of the conscious or the unconscious Pharisee.

Every man has his own idea of his Sunday. The pious Frenchman reckons his Sunday well kept, if he attends mass in the morning, and a dance on the grass, or a play at the theatre in the evening. An Englishman spends his Sunday well when he attends his parish church, and enjoys his dinner with his family. Some serious Scotchmen think they spend Sunday piously when they attend chapel three times, with prayer-meet-



ings, and Sunday-schools in the intervals. Each fancies his own way is a model of piety, a heaven on earth. Indeed we have somewhere read of a devout man, who could not think heaven any thing materially different from a sort of perpetual Sabbath, on which all the angels put on clean shirts, and went and heard a sermon from the apostle Paul!

But while we agree with those who denounce the Phariseeism of many of the sabbatarians, we maintain that there is in the day of rest a popular privilege, a divine institution, a sacred Magna Charta of the people, for time and eternity. There is a humanity in the conservation of it, a practical good in it, which will establish irresistible claims upon the heart of every man possessed of one. Thomas Hood, instead of being the satirist of the sabbatarians, would have been their lyrical advocate, if the divine humanity of the day of rest, and the importance of preserving it, had been brought fairly before his mind.

Sabbath observance, if the formalities are not the expressions of the heart, is not obedience to God at all. Of all social institutions, the day of rest is the best gift of the Almighty to all classes, but especially to the poor. 'To the working man, the day of rest is an estate of time,—a sacred property given him by his Maker for his whole well-being—physical, economical, moral, and spiritual. It is his day of emancipation. A week of seven working-days—sabbathless months or years—mean perpetual vassalage and entire slavery. The man who has no sabbath, has no period for the cultivation of himself—health, or mind, or heart, or soul. He is robbed of his home, when robbed of the day God has given him for the cultivation of the family affections, without which home is hearthless, cold, dark, and bitter. By a perpetual encasement of sordid toil—a poisonous Nessus robe, whose influences extend to his soul—the immortal spirit of the man is unmanned, brutified, demoralised, and destroyed.'

'Work! work! work!  
From weary chime to chime,  
Work, work, work!  
As prisoners work for crime!

\* \* \* \*

Work, work, work!  
In the dull December light,  
And work, work, work!  
When the weather is warm and bright.

\* \* \* \*

Oh, but for one short hour !  
 A respite, however brief !  
 No blessed leisure for love or hope,  
 But only time for grief !

\* \* \* \*

Oh God ! that bread should be so dear,  
 And flesh and blood so cheap !

The defence of a day of rest in every week for every living creature, is a humane and wise thing, even were the Bible a mystic book, Christianity a philosophy, and God 'a pervading spirit of intellectual beauty.'

The sabbath question has been raised by the sudden spread of railways. Within a few years and chiefly within the last twenty months, a gigantic net-work of railways has been thrown over Great Britain, with Sunday trains in greater or less numbers on almost every line. Of course the question has been chiefly argued in reference to the occasion which raised it. Sunday trains have been the moot points. Is the Sabbath train exempted from the Divine law of sacred and universal rest? Have the public a right to travel on all highways on all days? These are the questions put by the conflicting disputants.

It is observable and notable, that this stout contention about the right to travel on Sundays, has been raised at a period when an extraordinary diminution in the length of time, necessary for travelling any given distance, has become the marvel of the age. When we can travel at the rate of a mile in a minute, for the first time since Adam, the demand is made to be able to travel on the day of rest. When intelligence can be transmitted hundreds of miles in a few seconds, an unusual earnestness and vehemence is used, in insisting upon the right to the use of a day hitherto sacred from general use, in the transport of passengers or news. The public surely can spare the day better than ever. We can do as much travelling in an hour as our grandfathers could do in a day. We can transmit intelligence in an hour, which they could scarcely have done in a week. Precisely when this is happening, do we demand the day of rest for transmission of passengers and news. Genius and talent, the skill of workers in iron, and the sinews of labourers, have obtained for us a marvellous saving of time, in regard to the transport of goods, passengers, and intelligence. A benevolent regard for those whose toils gain us these advantages, would suggest the duty of holding the resting day of the engineer, the stoker, the engine-driver, and the train-guard as peculiarly sacred. By an institution derived from the earliest times, which many of the best and wisest of men have believed

to be divine, these men have a vested, a sacred, right to a day of rest. God has given it to them. Man has given it to them, by the laws of many nations and peoples, and the will and wisdom of countless generations. Is it not strange, that it should be precisely the men who have saved so much of time for us, that we wish to deprive of their estate of time, their property in a seventh of their lives? Never in reference to travelling could we better afford to spare the Lord's-day. There never were in the world before, equal means of making up for all delays when the day of rest is over. Stokers and engine-drivers annihilate time and space for us. While we sleep, they conduct us to the end of our journey with the speed of the racer. Surely in these circumstances, we can afford them the time which is needful for their moral and spiritual, their physical and mental, their temporal and eternal well-being. To deprive them of their Sunday, when they have given us many days, is a grasping niggardliness dishonourable to the public, and ruinous to the railway *employées*.

However, though we are zealously conservative of the day of rest, there appears to us to be nothing in the New Testament in favour of forcing the observance of Christian ordinances upon the world. Not a syllable of it, as we read it, sanctions any attempts to make men keep the first day of the week by law. In our opinion there is not a particle of it therefore favourable to the Agnew movement. Theocratic notions have not yet been pounded out of all heads, and the fact makes itself apparent in an agitation by persons called by the name of Sabbatarians. But we regard the theocratic dogmas as superstition worthy of a condemnation, side by side with papal infallibility. To us the talk of religionists about covenanted nations, and Christian legislatures, and Christian people, seems never to have represented anything but ideas which have not, and never had, any realities correspondent to them in this world. The legislation, which has embodied these famous fancies, has generally been unjust and oppressive, and however they may repudiate the doctrine, the men who ask for more of this legislation, when judged by the tendencies of their actions, are as justly censurable as if they thought—

‘The mortal husk could save the soul,  
By trundling, with a mere mechanic bias,  
To church, just like a *lignum vitæ* bowl.’

Neither the moral code, nor the social conventions of ascetic evangelism are the perfection of moral truth. Least of all are we blind to the abundance of men in the evangelical world



whose Christianity has very little likeness to that of 'Him who went about doing good.' 'He went about *doing* good!' This expression is, in sublimity, to the moral world, what—'Let there be light, and there was light!' is to the physical. The following of this moral example of doing good, is what we deem the true embodiment of Christianity. But to judge by many personages abundantly known, one might suppose the proper reading of the text was not, 'by their fruits ye shall know them,' but by their *talk* ye shall know them. It requires no great shrewdness to see, that in these days, the men of Christlike talk, and the men of Christlike deeds, are very different classes of persons. The Christian talkers are mere performers upon platforms and in pulpits. The Christian doers are very different persons. They do not concern themselves about portraits or pictures of themselves. Self-display is not their habit. But they are men who live only to relieve human misery. Some of them devote their lives to ameliorate the condition of paupers. Some erect schools for outcast children. They exhibit the wrongs of the factory operatives. Their spirits labour with plans for reclaiming fallen women and criminal men. They visit the poor, amidst the pestilential vapours which destroy their lives. Asylums are opened by them for the houseless, who were wont to shiver through the winter nights in dry arches of the bridges, and on the benches, or under the trees of the parks. The Christian doers are men who confront the evils of the time, the demon spells of the bottle, which drive families through poverty and crime to madness, and the causes which are increasing our criminals faster than our people, and our young criminals faster than our adult criminals. They consider the poor, and seek not the applauses of public meetings. They visit prisoners, and do not employ artists to paint them in the most picturesque attitudes of benevolence. By such men, the mentally diseased are studied and relieved, if not cured. By such men the moral and spiritual evils of the age are checked, if not lessened; the miseries of the people are revealed, if not relieved; and selfishness and demonism branded in their work, if not deterred from their career, of destruction and death.

Of the true kind of Christian doers was the late Dr. Chalmers, especially in his last days, when, sated with the triumphs of pulpit oratory, he devoted himself 'to excavate the heathen' of the West Port of Edinburgh. It was his mode of expressing his disapprobation of the profitable professions of evangelism in vogue. He cared chiefly for a gospel which was preached to the poor, the needy, the outcast, and the criminal. In the year 1841, we had a good deal of conversation with him upon many

topics. Among the rest, we talked over the Sabbath question. We told him how we regretted to see a beneficent object, and a sacred cause, injured by being advocated in the spirit of those—

‘ Who hanged their cats on Mondays,  
For killing mice on Sundays.’

He said he had no sympathy with this spirit, and had kept himself aloof as much as possible from the manifestations of it. We stated to him the economic argument in favour of a seventh day of rest. If the people can do a seventh more work by working upon Sundays, the abolition of the day of rest would just be equivalent to adding a seventh to the available labour of a country already suffering from over population. If they cannot do more work in seven days than in six, in a series of years, the abolition of the day of rest is not attended with a single advantage in reference to the production of wealth, which is the accumulated results of labour. Viewed in this way, the seventh day ought to be secured to the people, even by an industrial shrewdness analogous to that of the farmer who gives a year of rest to his over-cropped field. The moral quality of labour is the one to which it owes its highest efficacy, the mental is an inferior, and the physical element is the meanest ingredient in that efficiency which produces wealth. The seventh day—the day of spiritual and moral training—is, therefore, the time for imbuing the labour of a country with its highest, noblest, and most effectual element. The violation of the Sabbath, the abolition of the day of rest, is the destruction of the most invaluable part of the producer of wealth. Bad for religion, bad for morals, bad for mind and bad for health, the abolition of the Sabbath would, therefore, be bad for wealth.

Dr. Chalmers, before his death, cherished an intention of treating the Sabbath-question in this broad and popular way. He responded to the conviction cordially, that no tribune of the people could lift up his voice for a nobler privilege of theirs, than this seventh day. The lights and shades of enthusiastic feeling played on his grand face, as he talked of combating a selfish, and an ignoble, and an ignorant, political economy, in defence of the right of the people to the full strength of their bodies, the full culture of their minds, and the Divine development of their souls. Returning to the subject sometime afterwards, he said this view fitted in with all his habits of thinking, for his plan for the regeneration of the people was, by dividing the population into bodies of two thousand, duly supplied with a church, a saving's bank, and a school, to produce a population whose independence, frugality, intelligence, and industry should

make them masters of the commodity of labour, and dominant over the regulation of it, capable of working most effectually when wages were suitable, and able when periods of depreciation from gluts came, to have a jubilee time, 'when all the people could go to play.'

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ART. IV.—*Memoirs of the Reign of George the Second, from his Accession to the Death of Queen Caroline.* By John, Lord Hervey. Edited, from the Original Manuscript at Ickworth, by the Right Hon. John Wilson Croker, LL.D., F.R.S. In Two Volumes. London: John Murray. 1848.

WE have lately been deluged with a mass of publications, bearing imposing titles, and purporting to illustrate various periods of our history, the merit of which has been in an inverse ratio to their bulk. A whole cartload of mere rubbish has been disinterred from our public libraries, and brushed up for the inspection of the curious. Popular names have been paraded in the title-page, as a decoy to unwary purchasers, and every allurement which artistic skill, or the practical knowledge of experienced publishers could devise, has been brought to bear on the success of such publications. Letters of eminent personages, Memorials of important epochs, Diaries and Correspondence, have followed each other in rapid succession, and those who have looked only at their title-pages, or who form their opinions from the verdict of interested, uninformed, and dogmatic critics, have readily concluded that vast accessions were made to the materials of authentic history. And yet it is a lamentable fact, that the majority of these publications are next to worthless. Many of them are absolutely wanting in one redeeming quality, while others present only an atom of truth amidst a mass of error and absurdity. Throughout the class, the chaff is out of all proportion to the wheat, and the feeble glimpses occasionally furnished into the homes and morals of our fathers, scarcely compensate for the labour involved in wading through the trash which modern industry, or rather modern necessity, has brought to light. It requires no ordinary diligence to sift the materials which have been transferred from manuscript to letter press, from dusty recesses where they had long been entombed, to our library shelves. For ourselves, we confess that our patience has often been exhausted, and our temper sorely tried, as we have passed from title-pages full of promise, and graced by the names



of living editors as vouchers for their truth, to the inanity, false sentiment, and wretched style of the works in question. We have sometimes been ready to wish that the whole class could be re-interred;—that their skeleton forms could be replaced in the graves from which they have been dug out, and that our literary drudges would betake themselves to any handicraft, however humble, so that they did but spare the time and labour, and what is of infinitely greater moment, the intellects of their too confiding readers. A little reflection, however, serves to recall us from such thoughts. It is the condition of our present existence to enjoy no good without an attendant evil, and we must not complain if this law is found to prevail in literature. The counterfeit bespeaks the existence of sterling coin, and borrows its currency from it. Wearing the semblance of what is genuine, it is credulously received as such, and the majority of mankind are too busy, or too ill-informed to detect the cheat. So it is in literature, whether poetry, philosophy, or history. Each has its empirics, and its well-known coining shops, and we wish some police force could be formed, to detect their trickery and bring their agents to punishment.

The sterling character of a few works has led to a shoal of feeble imitators. The British public are greatly indebted to the editors of such works as the 'Memoirs of Colonel Hutchinson,' Walpole's 'Reminiscences,' Evelyn's 'Memoirs,' Pepys' and Burton's 'Diaries,' and Tytler's 'Edward and Mary,' and if we are required to pay a heavy penalty for the possession of such treasures we must be content. The value of the boon is worth the price exacted, more especially when it is remembered, that the increasing knowledge of the reading public, and the greater caution which has been induced, will render the task of imposition more difficult for the future. In literature, as in other things, the number of labourers exceeds the opportunities of remunerative employment. Vast numbers have been attracted to its domains who had far better pursue other avocations, and the necessities of life, the *res augusta domi*, constrain them to search for something which may be turned to gold. This is the real history of many of the publications which issue yearly from the London press. Publishers pay a trifling sum for the copy of some manuscript, and trust to an imposing title-page, and an attractive editorship, for a sufficient sale to return their outlay, and reimburse them for their labour. We say nothing now of the honesty of all this. When such wares are correctly described, the public, who buy, have no reason to complain, but where this is not the case—and every historical student could name several such instances—a gross imposition is practised, discreditable alike to the publisher who

contributes his capital, and to the editor who lends his name to the bargain.

The volumes now before us contrast honourably with the mass of similar publications. They are a real addition to historical literature, and ought not to have been withheld. The period to which they relate, though one of the most instructive, is amongst the darkest in our annals. Our exultation at having escaped from the intolerance and despotism of the Stuarts, leads us to regard their Hanoverian successors with complacency. The thought of what the nation might have been, causes us to overlook what it really was. As in bodily ailments the cessation of pain is pleasurable, so, in the history of nations, an escape from political evils is for a season identified with the possession of freedom and national prosperity. The character of the first two Georges was unattractive in the extreme. It is scarcely possible to conceive of a sovereign distinguished by a more absolute negation of qualities suited to win respect and affection, than George II. Feeble, obstinate, and vain; at once despised and feared by his children; an uxorious husband and a debauchee; opinionated to the last degree, yet capable of being swayed even to the right only by his wife or his mistress; sordid in his spirit, and meanly avaricious; in temper a Jew, and in politics a German, perpetually alarmed at the very ghost of the Pretender, yet incapable of any generous policy which could attach the people to his House, he did all which such a monarch could do to undermine his throne, and to pave the way for his rival's triumph. That the grandson of James II. did not succeed, illustrates one of the best features of English character. No matter what his promises, or the temporary sympathy which his chivalry or his sufferings induced. The people looked to him and to the reigning monarch, as the personification of two opposite political systems; and though the unpopularity of the latter could scarcely be less, they preferred, and manfully upheld, the constitutional principle of which he was the reluctant type. But the volumes themselves will best illustrate the character of the monarch, and, we regret to add, the corruption of his court, and the gross venality of his parliaments.

Before noticing their contents, we must say a few words respecting their author, Lord Hervey. He was the eldest son of John, first earl of Bristol, by his second wife, and entered parliament on the accession of George II. He was unhappily distinguished by great laxity of morals, and was a disciple of the infidel school represented by Tindal, Toland, Collins, and Woolston. In politics he attached himself to the party of Sir Robert Walpole, and was on terms of great intimacy with the

Queen. His ambition prompted him to look for some high appointment, and his talents were certainly superior to most of those amongst whom the best prizes were distributed. Hence arose dissatisfaction and frequent complaints, but the favour of the queen kept him steady to his party, and he retained for many years his comparatively menial office of vice-chamberlain. 'Paradoxical as it may sound,' says Mr. Croker, 'it was, I believe, his high favour with both the queen and the minister that occasioned this, we may rather call it injustice than neglect: the truth seems to be that he had obtained so much familiarity and favour with her Majesty, and was so essentially useful to Walpole in that all-important quarter, that though Sir Robert, in 1733, gratified his friend and strengthened the administration, by calling him up to the House of Lords, and assigning him a confidential share in its debates, he was unwilling, or afraid, to lose his more delicate services at the ear of the queen.' This solution is probably not over refined. It was accordant with the policy of Walpole to rule by such means, and the subsequent events of Lord Hervey's life favour the supposition. On his return from the Continent, in 1729, he was for a time undecided what course to adopt. Both Walpole and Pulteney bid for him, but the former ultimately succeeded, and, unlike most of those whom he bought, Hervey remained faithful to his patron. He was a frequent speaker in parliament, and his pen was vigorously employed in behalf of the government. From all this it is evident, that he was too near to the parties described, and too much implicated in the transactions he records, to be perfectly impartial. Indeed, he makes no pretensions to this virtue, yet, as his editor remarks:—'Though we see that his colouring may be capricious and exaggerated, no one can feel the least hesitation as to the substantial and, as to mere facts, the minute accuracy of his narrative. He may, and I have no doubt too often does, impute a wrong motive to an act, or a wrong meaning to a speech; but we can have no doubt that the act or the speech themselves are related as he saw and heard them: and there are many indications that the greater part was written from day to day, as the events occurred.' Notwithstanding, therefore, the deduction to be made on this account, his volumes constitute by far the fullest, most graphic, and truthful picture of the court and politics of George the Second's reign, we have yet received. Mr. Croker is a good judge on this point, and he tells us, 'No other Memoirs that I have ever read, bring us so immediately, so actually, into not merely the presence, but the company, of the personages of the royal circle. Lord Hervey is, may I venture to say, almost the *Boswell* of George II. and Queen Caroline, but Boswell without his good nature?



Such was the man whose almost daily memorials are now before us, and a darker revelation was scarcely ever made. The open profligacy of the king, with the connivance, frequently more than passive, of the queen; the unnatural animosities of the royal family; the corruption, both social and political, which rioted through the court; the treachery of the Whigs in power to all the principles avowed in opposition; the ambition, cupidity, and turbulence of church dignitaries; the low trickery and political partizanship of leading dissenters; the profligacy of the Commons, and the almost absolute prostration of the popular mind; are exhibited in the lively colours, and with the full details, of an eye-witness.

The existence of these 'Memoirs' has long been known. Walpole refers to them in his 'Catalogue of Royal and Noble Authors,' and Lord Hailes, in 1788, in a note to his compilation of the opinions of the Duchess of Marlborough, expresses a hope that they will be found to explain the dissension between George II. and his son Prince Frederick. 'I have reason,' he says, 'to believe they are written with great freedom.' In this opinion he was clearly correct, though we are still strangely left without the solution he anticipated. The 'Memoirs' were designed for posthumous publication, and the position of the writer was evidently such as afforded special opportunities for obtaining accurate information. 'All I shall say,' remarks Lord Hervey, 'for my intelligence is, that I was lodged all the year round in the court, during the greater part of these times concerning which I write; and as nobody attended more constantly in public, or had more frequent access at private hours to all the inhabitants, I must have been deaf and blind, not to have heard and seen several little particularities, which must necessarily be unknown to such of my contemporaries as were only acquainted with the chief people of this court, in the theatrical pageantry of their public characters, and never saw them when that mask of constraint and hypocrisy, essential to their stations, was enough thrown off for some natural features to appear.'

The Whigs were at this time divided into two sections, at the head of which were Sir Robert Walpole and Mr. Pulteney. The former was in power, and the latter in opposition. Their language and tactics corresponded with their position. The one was concerned to retain, and the other to possess himself of, the favour of the court. They were respectively at the head of two sections of the oligarchy, who deemed themselves entitled to rule the fortunes of England. The Whig party had long been in the ascendant, but was now showing symptoms of exhaustion, which prepared the way for the change which ensued

on the accession of George III. Those of our readers who are only acquainted with the language of Whig statesmen, during their long exclusion from office in the reigns of the last two Georges, will be little prepared for the part their predecessors acted, throughout the period treated of in these volumes. The air of a court proved as corrupting in their case, as it has invariably done in that of their opponents. The Tories, however, were equally wanting, at this time, in union. Jacobitism was dying out, as the prospect of a Stuart reaction was daily becoming less hopeful; but the Hanoverian Tories, headed by Sir William Wyndham, formed an important section of the parliamentary opposition. The chief struggle lay, as Lord Hervey observes, 'not between Jacobites and Hanoverians, or Tories and Whigs, but between Whigs and Whigs, who, conquerors in the common cause, were now split into civil contest among themselves, and had no considerable opponents but one another.'

Lord Hervey, it must be remembered, was a ministerial Whig, and there is, therefore, more significance in the following passage, wherein he describes the change which had passed on the political faith of the nation:—

'The conscientious attachment to the natural right of this or that king, and the religious reverence to God's anointed, was so far eradicated by the propagation of revolutionary principles, that mankind was become much more clear-sighted on that score than formerly, and so far comprehended and gave into the doctrine of a king being made for the people and not the people for the king, that in all their steps it was the interest of the nation or the interest of particular actors that was considered, and never the separate interest of one or the other king. And though one might be surprised (if any absurdity arising from the credulity and ignorance of mankind could surprise one) how the influence of power could ever have found means to establish the doctrine of divine right of kings, yet no one can wonder that the opinion lost ground so fast, when it became the interest even of the princes on the throne for three successive reigns to expel it. The clergy, who had been paid for preaching it up, were now paid for preaching it down; the legislature had declared it of no force in the form of our government, and contrary to the fundamental laws and nature of our constitution; and what was more prevailing than all the rest, it was no longer the interest of the majority of the kingdom either to propagate or act on this principle, and consequently those who were before wise enough from policy to teach it, were wise enough now from the same policy to explode it; and those who were weak enough to take it up only because they were told it, were easily brought to lay it down by the same influence.'—Vol. i. p. 6.

The secret of the court lay in the influence of the queen, which though less paraded than in some other instances that our history supplies, was in all ordinary cases omnipotent. The profligacy of the king's habits had led many of the courtiers to

calculate on a different state of things, and they consequently relied on the favour of Mrs. Howard, with whom a criminal connexion was known to exist. In this, however, they were disappointed, and though the low *morale* of the queen prevents any deep sympathy with her, an ingenuous mind cannot but rejoice that those who solicited royal favour, through the questionable channel of a mistress, should experience bitter disappointment. Where no higher motive prevails, it is well that courtiers should be taught by experience the folly, though they may not admit the guilt, of such a procedure. In the household of George II. domestic virtue was unknown. The mistress was courted in preference to the wife, and when the political blunder was detected, the consequences were deplored without the crime being abhorred. The discovery made on the accession of the prince is thus described by Lord Hervey:—

‘ Whilst the King was Prince, there were so few occasions for the Queen to show her credit with him, that some were apt to imagine this latent dormant power was much less than it proved itself, when the time came that made it worth her while to try, show, and exert it. But as soon as ever the Prince became King, the whole world began to find out that her will was the sole spring on which every movement in the court turned: and though his Majesty lost no opportunity to declare that the Queen never meddled with his business, yet nobody was simple enough to believe it; and few, besides himself, would have been simple enough to hope or imagine it could be believed, since everybody who knew there was such a woman as the Queen, knew she not only meddled with business, but directed everything that came under that name, either at home or abroad. Her power was unrivalled and unbounded—how dearly she earned it will be the subject of future consideration in these papers.’—Ib. p. 59.

The situation of the queen, however, apart from the worst feature of her case, was far from enviable. The king was morbidly sensitive to the imputation of being ruled by others, and the Opposition were low-minded enough to avail themselves of this weakness. His temper was at once obstinate and irascible, and it required, consequently, the utmost caution on the part of the queen, to prevent his suspecting what was notorious to all. From long experience, however, she knew how to adapt herself to his caprices, and thus succeeded in instilling her own sentiments, while he absurdly imagined himself to be dictating his. ‘ By this means,’ says Lord Hervey, ‘ her dexterity and address made it impossible for any body to persuade him, what was truly the case, that whilst she was seemingly, on every occasion, giving up her opinion and her will to his, she was always in reality turning his opinion and bending his will to hers.’

On the king's accession, an entire change was expected in



the ministry. He had been accustomed to speak of Sir Robert Walpole as 'a great rogue,' of the Duke of Newcastle as 'an impertinent fool,' and of Lord Townshend as 'a choleric block-head.' Those, therefore, who judged of princes as of other men, looked for new counsellors, and began to worship Sir Spencer Compton, as the rising sun. The first act of the monarch gave countenance to this supposition, and nothing probably was wanting but talent and promptitude on the part of the favourite, to have secured, at least, a temporary possession of power. George I. died at Osnaburgh, on the 11th of June, 1727, and the event being reported to Walpole, three days afterwards, he hastened to Richmond, to announce it to the prince. His reception was far from flattering. 'Go to Chiswick,' said the new monarch, 'and take your directions from Sir Spencer Compton.' Walpole complied with this ungracious instruction, and in the interview which followed, saw that he had little to dread from such a rival. The queen was far more sagacious than her husband, and early perceived that the ability and experience of Walpole could alone accomplish those settlements which the king deemed needful. Rival parties contended for the royal favour, and Walpole was not a man to be outdone, when a prodigal expenditure could accomplish his object. He knew the sordid temper of the king, who, on his part, seems to have been equally aware of the character of his father's minister. 'Consider, Sir Robert,' said the monarch, significantly, when the settlement of the civil list was under discussion, 'what makes me easy in this matter, will prove for your ease, too; it is for my life it is to be fixed, and it is for your life.' The hint was taken, the bargain struck; and such a civil list was submitted to parliament as no minister had previously ventured to propose. 'No one,' says Lord Hervey, 'thought it reasonable, yet no one opposed it; no one wished for it, and no one voted against it; and I believe it is the single instance that can be given, of a question carried there, without two opponents or well-wishers.'

A new parliament was convened in January, 1728, of which Mr. Onslow was chosen speaker, and as he held this post in five successive parliaments—from 1728 to 1761—our readers will not be uninterested with the following sketch, in which the author's love of antithesis is somewhat amusingly displayed:—

"As he had no great pretensions to it, from his age, his character, his weight in the House, or his particular knowledge of the business, Sir Robert Walpole imagined that he must look upon his promotion entirely as an act of his favour, and consequently think himself obliged, in honour, interest, and gratitude, to show all the complaisance in his power to his patron and benefactor. However, Mr. Onslow had just that degree of fitness for this office, when he was first put into it, that

hindered the world from exclaiming against him, and yet was not enough for him to take it as his due. He was a man naturally eloquent, but rather too florid; was as far from wanting parts or application, as he was from possessing prudence or judgment; he had kept bad company of the collegiate kind, by which he had contracted a stiffness and pedantry in his manner of conversing; and whilst he was thoroughly knowing in past times, was totally ignorant of the modern world. No man ever courted popularity more, and to no man popularity was ever more coy: he cajoled both parties, and obliged neither; he disobliged his patron by seeming to favour his opponents, and gained no credit with them because it was only seeming. He had one merit truly and sincerely (as I believe, at least), which was an attachment to the constitution of England, and a love of liberty that never gave way; and was certainly no favourer of the power of the crown or the church. But these true Whig and laudable principles were so daubed by canting, fulsome, bombast professions, that it was as hard to find out whether there was anything good at bottom, as it would be to find out real beauty in a painted lady. In general he was passionate in his temper, violent in his manner, coxcomical in his gestures, and injudicious in his conduct.'—*Ib.* p. 103.

The conduct of this parliament was in keeping with the bargain of the minister. It had its appointed work, and it faithfully performed it. It served the purpose of the monarch, and of the premier, but deserves the execration of the people. 'The manifest injustice and glaring violation of all truth in its decisions, surpass even the most flagrant and infamous instances of any of their predecessors.'

We shall not attempt any continuous account of the contents of these volumes. Our purpose will be better answered, and the expectations of our readers be more fully met, by making a few selections from their multifarious and interesting sketches. Speaking of the views of the king at his accession, Lord Hervey says:—

'He intended to have all his ministers in the nature of clerks, not to give advice, but to receive orders; and proposed, what by experiment he found impracticable, to receive applications and distribute favours through no principal channel, but to hear from all quarters, and employ indifferently in their several callings those who by their stations would come under the denomination of ministers. But it was very plain, from what I have just now related from the King's own lips, as well as from many other circumstances in his present conduct, that the Queen had subverted all his notions and schemes, and fully possessed his Majesty with an opinion that it was absolutely necessary, from the nature of the English government, that he should have but one minister; and that it was equally necessary, from Sir Robert's superior abilities, that he should be that one. To contradict his will directly, was always the way to strengthen it; and to labour to convince, was to confirm him. Besides all this, he was excessively passionate, and his temper upon those occasions was a sort of iron reversed, for the hotter it was the harder it was

to bend, and if ever it was susceptible of any impression or capable of being turned, it was only when it was quite cool.'—*Ib.* p. 184.

On another occasion, when referring to the disposal of patronage, he tells us :—

'The Duke of Richmond asked the King immediately to succeed Lord Scarborough, and the King was not averse to granting his request any further than he was always averse to giving anything to anybody. Many ingredients concurred to form this reluctance in his Majesty to bestowing. One was that, taking all his notions from a German measure, he thought every man who served him in England overpaid; another was, that while employments were vacant he saved the salary; but the most prevalent of all was his never having the least inclination to oblige. I do not believe there ever lived a man to whose temper benevolence was so absolutely a stranger. It was a sensation that, I dare say, never accompanied any one act of his power; so that whatever good he did was either extorted from him, or was the adventitious effect of some self-interested act of policy: consequently, if any seeming favour he conferred ever obliged the receiver, it must have been because the man on whom it fell was ignorant of the motives from which the giver bestowed. I remember Sir Robert Walpole saying once, in speaking to me of the King, that to talk with him of compassion, consideration of past services, charity, and bounty, was making use of words that with him had no meaning.'—*Ib.* p. 289.

The character of the prince—father of George III.—is drawn with an equally unsparing pen. It is probably somewhat overcharged, as there were circumstances, disgraceful to both parties, which rendered the Prince of Wales specially obnoxious to Lord Hervey. Other evidence, however, is not wanting to confirm the substantial accuracy of the following sketch :—

'The Prince's character at his first coming over, though little more respectable, seemed much more amiable than, upon his opening himself further and being better known, it turned out to be; for though there appeared nothing in him to be admired, yet there seemed nothing in him to be hated—neither anything great nor anything vicious; his behaviour was something that gained one's good wishes, though it gave one no esteem for him; for his best qualities, whilst they prepossessed one the most in his favour, always gave one a degree of contempt for him at the same time; his carriage, whilst it seemed engaging to those who did not examine it, appearing mean to those who did: for though his manners had the show of benevolence from a good deal of natural or habitual civility, yet his cajoling everybody, and almost in an equal degree, made those things which might have been thought favours, if more judiciously or sparingly bestowed, lose all their weight. He carried this affectation of general benevolence so far that he often condescended below the character of a Prince; and as people attributed this familiarity to popular, and not particular motives, so it only lessened their respect without increasing their good will, and instead of giving them good impressions of his humanity, only



gave them ill ones of his sincerity. He was indeed as false as his capacity would allow him to be, and was more capable in that walk than in any other, never having the least hesitation, from principle or fear of future detection, in telling any lie that served his present purpose. He had a much weaker understanding, and, if possible, a more obstinate temper, than his father; that is, more tenacious of opinions he had once formed, though less capable of ever forming right ones. Had he had one grain of merit at the bottom of his heart, one should have had compassion for him in the situation to which his miserable poor head soon reduced him; for his case, in short, was this:—he had a father that abhorred him, a mother that despised him, sisters that betrayed him, a brother set up against him, and a set of servants that neglected him, and were neither of use, nor capable of being of use to him, nor desirous of being so.'—Ib. p. 297.

To complete the family group we must take the following, in which the character of the queen is drawn with equal freedom. The painter was here employed on a favourite subject, and we cannot, therefore, suspect him of magnifying defects, or of infusing too dark colours. His love of antithesis may, perhaps, have led to the sacrifice of truth on some minor points, but on the whole the portrait is open to the suspicion of flattery rather than of caricature. A more miserable object was never sketched, and the other members of the royal household partook in various degrees of the family likeness:—

'Her predominant passion was pride, and the darling pleasure of her soul was power; but she was forced to gratify the one and gain the other, as some people do health, by a strict and painful *régime*, which few besides herself could have had patience to support, or resolution to adhere to. She was at least seven or eight hours *tête-à-tête* with the King every day, during which time she was generally saying what she did not think, assenting to what she did not believe, and praising what she did not approve; for they were seldom of the same opinion, and he too fond of his own for her ever at first to dare to controvert it (*'consilii quamvis egregii quod ipse non afferret, inimicus:'*—'An enemy to any counsel, however excellent, which he himself had not suggested.'—*Tacitus*;) she used to give him her opinion as jugglers do a card, by changing it imperceptibly, and making him believe he held the same with that he first pitched upon. But that which made these *tête-à-têtes* seem heaviest was that he neither liked reading nor being read to (unless it was to sleep): she was forced, like a spider, to spin out of her own bowels all the conversation with which the fly was taken. However, to all this she submitted for the sake of power, and for the reputation of having it; for the vanity of being thought to possess what she desired was equal to the pleasure of the possession itself. But, either for the appearance or the reality, she knew it was absolutely necessary to have interest in her husband, as she was sensible that interest was the measure by which people would always judge of her power. Her every thought, word, and act therefore tended and was

calculated to preserve her influence there ; to him she sacrificed her time, for him she mortified her inclination ; she looked, spake, and breathed but for him, like a weathercock to every capricious blast of his uncertain temper, and governed him (if such influence so gained can bear the name of government) by being as great a slave to him thus ruled, as any other wife could be to a man who ruled her. For all the tedious hours she spent then in watching him whilst he slept, or the heavier task of entertaining him whilst he was awake, her single consolation was in reflecting she had power, and that people in coffee-houses and *ruelles* were saying she governed this country, without knowing how dear the government of it cost her.'—Ib. pp. 293—295.

Our special interest in all matters pertaining to the dissenting body, leads us to notice Lord Hervey's account of the treatment it experienced from the government of Sir Robert Walpole. In 1730, the design was entertained of applying to parliament for the repeal of the Test and Corporation Acts, and certainly, if ever any parties merited the favour of a monarch and his ministers, the dissenters of England had done so in an eminent degree. For forty years they had shown themselves the steady friends of the settlement of 1688, and had been amongst the earliest and most zealous advocates of the Hanoverian succession. Their services had hitherto been unrequited ; and all they now asked for was, to be relieved from the operation of laws which had been passed for the repression of popery. They had, moreover, been faithful adherents to the Whig party, they constituted its electoral strength, had contributed largely to its long possession of office, and might very naturally now conclude, as Lord Hervey represents them as doing, that 'if they could not get rid of this stigmatising brand of reproach, that declared them unfit to be trusted with any employment in the executive part of the civil government, under a Whig parliament, they could never hope for relief at all, since the other set of men, who called themselves the church party, and whom they had always opposed, should they come into power, would not only from principle forbear to show the dissenters any favour, but would certainly, from resentment, go still further, and probably load them with some new oppression.' Such were the reasonings of dissenters ; and as a new parliament was speedily to be convened, they deemed the present a fitting time to bring their claims before the legislature. The administration, however, deemed otherwise. They were willing to receive, but had no disposition to repay. Prodigious of private assurances, they were disinclined to encounter any difficulty, much less to hazard any danger, in order to verify their professions. Their gratitude was a lively sense of favours to be received, and they affected surprise, and even uttered reproach.

ful language on discovering that a juster sense prevailed amongst others. We have seen a similar policy in more recent times, but have happily learned to resent the injustice, and to take our cause into our own hands, instead of credulously relying on the hollow professions of political allies. There is little faith in statesmen. They sneer at men of principle as obstinate and intractable; and guide their career by the arts of a paltry expediency, rather than the rules of a high-minded and generous morality. It was so emphatically with the minister Walpole. Like his Whig successors in our own day, he was terrified by the slightest murmur within the precincts of the church. The ghost of priestism haunted him. He saw it wherever he went, and abandoned judgment, conscience, and gratitude, rather than hazard its wrath. The Whigs have ever been amongst the most timid of mortals in church matters. In special cases, when urged by political necessity, they have for an instant grappled with priestly arrogance; but the old habit of servility is soon resumed, and they have evinced more than the patience of saints, without a particle of their spirit. In 1732, it was resolved, if possible, to divert dissenters from their purpose. The administration did not wish to break with them. In other words, their aid was still wanted, more especially as a general election was at hand. The usual appliances were, therefore, resorted to; and as the case was more than usually important, royal influence was employed by the premier. Hoadley, bishop of Salisbury, was known to stand well with the dissenters, and it was therefore resolved, that the Queen should send for him, 'and make it her request that he would do all in his power to divert this impending storm.' The meeting took place at Kensington, and the Queen, 'with profusion of affability,' solicited the services of Hoadley. The main argument, of course, was the unfitness of the present time. 'A more convenient season' was all the government desired. The case of dissenters was entitled to consideration; their claim was just; the feeling of the administration was most cordial. Such was the language used; it has ever been so, with parties similarly circumstanced and equally destitute of principle; and if words only could determine the matter, dissenters had abundant reason to be satisfied. But words may be hypocritical, or if not wholly so, may be a concession extorted by timidity, and designed to cloak a settled purpose of inaction. It was so in the present case. The bishop saw through the policy of which he was to be the dupe, and, therefore, while professing his readiness to do all in his power to extricate the government from the difficulties of its position, he informed the Queen that 'he must plainly and honestly tell her Majesty, that whenever the repeal of them



(the Test and Corporation Acts) came to be proposed in parliament, he must always be for it, and forward, as much as in him lay, a step which he thought but common justice from this government, to its long-oppressed and long-faithful friends.' This was noble language from a bishop to a Queen, more especially when it was known that her influence was omnipotent in the promotions of the bench. The Premier followed up the application of his royal mistress, and with studied encomiums on the dissenting body, and warm professions of regard, he sought to secure the bishop's advocacy. The hollowness of the whole, however, was strikingly evident, as will be seen from the following:—

'As to himself,' says Walpole, 'in private and in confidence, he would not scruple to own to the Bishop that his heart was with them; but in this country, which was in reality a popular government that only bore the name of monarchy, and especially in this age where clamour and faction were so prevalent over reason and justice, he said, a minister sometimes must swim with the tide against his inclination, and that the current was too strong at present against this proposal of the Dissenters for any judicious minister to think of stemming it. He further added, that if he were wholly unconcerned as a minister, and only considered this thing as a friend to the Dissenters, he should certainly rather advise them to try it at the beginning of a new parliament than at the end of an old one, as people would be less afraid of the ferment in the country seven years before elections were again to come on, than one; and consequently those who were friends to the Dissenters would have the principal check to their showing themselves such, removed to so great a distance that it would be almost the same thing as being entirely taken away.

'The Bishop asked Sir Robert if, in making use of this argument to the Dissenters, he might give them hopes of finding more favour from the Court in case they would adjourn their pretensions till the opening of a new parliament; but Sir Robert avoided hampering himself by any promise of that kind by saying, that as such a promise could never be kept a secret, so its being known to be given for the future would have just the same ill effects as the performance of it in present; and, for that reason, whatever he thought might be done, he would not, nor dare not, say it should be done.

'The bishop plainly saw through this artifice, and at the same time perceived that his encouraging the Dissenters to proceed further in this affair at present would only ruin his own little remnant of interest at Court, without availing them, and therefore resolved plainly to represent to them what they had to expect, and advise them not to push a point which might force many who were thought their friends to desert them, and hurt many who would stand by them, and give their enemies advantage without a possibility of procuring any benefit to themselves.'—*Ib.* p. 154.

The dissenters refused to adopt the advice tendered. They were sanguine of success, and appointed deputations to repair to

London, in order to confer with their leading friends. This step proved their ruin, and 'enabled Sir Robert Walpole,' as our memoir-writer says, 'to defeat the project entirely.' A committee of London dissenters was appointed, and the result was very similar to what has been seen in more recent times. We give Lord Hervey's account with the more satisfaction, as we trust that dissenters, whether provincial or metropolitan, have become too wise and too honest to allow the repetition of so truculent and base a policy :—

'Out of the body of the London Dissenters a committee was to be chosen, to treat and confer with the ministers; and as the honest gentlemen who composed that committee were all monied men of the city and scriveners, who were absolutely dependent on Sir Robert, and chosen by his contrivance, they spoke only as he prompted, and acted only as he guided.

'However, to save appearances, everything was to be carried on with the utmost seeming formality; this packed committee was to meet the Lord Chancellor [King], Mr. Onslow, the Speaker of the House of Commons, the Lord President of the Council [Wilmington], the two Secretaries of State [Duke of Newcastle and Lord Harrington], and Sir Robert Walpole, in order to ask and learn from these great men what the Presbyterians, in case they brought their petition now into parliament, had to hope from the Court, the House of Lords, and the House of Commons.

'Sir Robert Walpole at this meeting began with a dissertation on the subject on which they were convened, and repeated most of the things he had before said to the Bishop of Salisbury. The Speaker avoided giving his opinion on the thing itself, but was very strong and explicit on the inexpediency of bringing it now before the parliament, and the little probability, if it was brought there, of its success. My Lord President looked wise, was dull, took snuff, and said nothing. Lord Harrington took the same silent, passive part. The Lord Chancellor and the Duke of Newcastle had done better had they followed that example too; but both spoke very plentifully, and were both equally unintelligible, the one from having lost his understanding, and the other from never having had any.

'The result of this conference was reported by the committee to a general assembly of all the Dissenters in London, convened for that purpose; and upon that report this assembly came to the following resolutions :—

'First, That if a petition was to be now preferred to Parliament in their favour, that there was no prospect of success.

'Secondly, That the present was consequently an improper time for any application to Parliament of that kind.

'And, Thirdly, It was resolved to communicate the negotiations of the committee, and the resolutions of this assembly thereupon, to all the Dissenters in England.

'In this manner this storm that threatened the administration from

the Presbyterian party blew over. Sir Robert Walpole conducted the whole affair on his part with great skill, temper, and dexterity: but the Presbyterians, as well as many who were unconcerned, saw plainly that the Dissenters' cause was betrayed, and their interests sold, by their factors in London.'—*Ib.* p. 156.

Such was the treatment received at the hands of an administration which they had so long and so faithfully served, and none, therefore, will be surprised to learn, that when the dissenters, four years afterwards, brought this question before parliament, they were opposed with the utmost strength of the Walpole government. The general election was then passed, but the Whig ministry and their faction were as disinclined as ever to do an act of simple justice. 'Trust not in princes,' is the injunction of scripture, and the dissenters of England have found, to their cost, that the spirit of the precept is equally applicable to statesmen and political parties.

The conduct of the court was the more exceptionable, as the loyalty of dissenters was undoubted, while that of the church was very questionable. Lord Hervey supplies many illustrations of the latter. He tells us, for instance, that on the Excise Bill being relinquished, the joy of the people was unbounded, and that it 'was carried so far at Oxford, that for three nights together, round the bonfires made there, the healths of Ormond, Bolingbroke, and James the Third were publicly drank; and so much treason talked, and so many disorders committed, by the students as well as the townsmen, that the Vice-Chancellor's authority, joined to that of the civil magistracy, was hardly sufficient to quell the tumults.'

On occasion also of the marriage of the princess royal, the university of Oxford is mentioned as one of the disaffected incorporated bodies, which 'took the opportunity to say the most impertinent things to the king, under the pretence of complimentary addresses, that ironical zeal and couched satire could put together.'

In the mean time the bishops did not sit on down. Church power, even then, was on the wane, and men, in consequence, ventured to utter thoughts which had long been repressed. They despised the sordidness, and began to laugh at the pretensions of churchmen. The king joined heartily in this feeling, and gave it utterance in the coarse style he loved:—

'The King,' says Lord Hervey, 'with his usual softness in speaking of any people he disliked, called the Bishops, whenever he mentioned them in private on this occasion, a parcel of black, canting, hypocritical rascals; and said the government was likely to go on well if those scoundrels were to dictate to their prince how far he should or should



not comply with the disposition of his parliament; and to be giving themselves these impertinent airs in opposing everything that did not exactly suit with their silly opinions. And indeed church-power was so little relished at this time, and churchmen so little popular, that these cabals and combinations of the bishops to oppose and influence the transactions of parliament, and to irritate the passions of the inferior clergy, were generally exclaimed against and condemned.

'The Mortmain Bill and the Quakers' Bill were both passed in the House of Commons by great majorities, and everybody that spoke for them gave the bishops and the parsons very hard as well as very popular slaps; the young men all ran riot on these topics, and there were none to take the part of the poor church but a few old Tories and the Jacobites. Sir Robert Walpole, however, who hated extremes, and dreaded the consequences of all intemperance in parliament whatever, though he voted for these bills, endeavoured to quell and soften the zeal of those who voted with him; and rather followed in every step that was taken in them than promoted it.'—Vol. ii. p. 93.

Lord Hervey relates a conversation between the king and queen, which throws much light on the miserable state of the royal family, and reflects little credit on the temper or judgment of George II. There is, however, some truth, mixed with great bitterness, in the references which he made to Bishop Hoadley. The anomaly of a bishop, with large revenues and a temporal barony, claiming to be a successor of the apostles, and a minister of a spiritual kingdom, is too obvious to escape the notice even of the grossest minds. After the departure of Lady Suffolk from the court, the king used to spend the early part of the evening with his daughters, and about nine o'clock he repaired to the apartments of the queen. Lord Hervey was usually in attendance, and tells us:—

'One evening among the rest, as soon as Lord Hervey came into the room, the Queen, who was knotting whilst the King walked backwards and forwards, began jocosely to attack Lord Hervey upon an answer just published to a book of his friend Bishop Hoadley's on the Sacrament, in which the bishop was very ill treated; but before she had uttered half what she had a mind to say, the King interrupted her, and told her she always loved talking of such nonsense and things she knew nothing of; adding, that, if it were not for such foolish people loving to talk of those things when they were written, the fools who wrote upon them would never think of publishing their nonsense, and disturbing the government with impertinent disputes that nobody of any sense ever troubled himself about. The Queen bowed, and said, 'Sir, I only did it to let Lord Hervey know that his friend's book had not met with that general approbation he had pretended.' 'A pretty fellow for a friend!' said the King, turning to Lord Hervey. 'Pray what is it that charms you in him? His pretty limping gait' (and then he acted the Bishop's lameness), 'or his nasty stinking breath?—phaugh!—or his silly laugh,

when he grins in your face for nothing, and shows his nasty rotten teeth? Or is it his great honesty that charms your lordship?—his asking a thing of me for one man, and, when he came to have it in his power to bestow, refusing the Queen to give it to the very man for whom he had asked it? Or do you admire his conscience that makes him now put out a book that, till he was bishop of Winchester, for fear his conscience might hurt his preferment, he kept locked up in his chest? Is his conscience so much improved beyond what it was when he was Bishop of Bangor, or Hereford, or Salisbury (for this book, I hear, was written so long ago)? or was it that he would not risk losing a shilling a-year more whilst there was anything better to be got than what he had? My Lord, I am very sorry you choose your friends so ill; but I cannot help saying, if the Bishop of Winchester is your friend, you have a great puppy and a very dull fellow and a great rascal for your friend. It is a very pretty thing for such scoundrels, when they are raised by favour so much above their desert, to be talking and writing their stuff, to give trouble to the government that has showed them that favour; and very modest in a canting hypocritical knave to be crying, '*The kingdom of Christ is not of this world,*' at the same time that he, as Christ's ambassador, receives £6,000 or £7,000 a year. But he is just the same thing in the church that he is in the government, and as ready to receive the best pay for preaching the Bible, though he does not believe a word of it, as he is to take favours from the crown, though, by his republican spirit and doctrine, he would be glad to abolish its power.'—Ib. pp. 45—48.

Lord Hervey, with the tact of an experienced courtier, endeavoured to divert the king's attention, by relating a visit he had just paid to a bishop of a very different stamp, who had accompanied him to Westminster Abbey, to show him a pair of old brass gates belonging to Henry the Seventh's Chapel. The king suddenly stopped him, saying:—

'My Lord, you are always putting some of these fine things in the Queen's head, and then I am to be plagued with a thousand plans and workmen.' Then turning to the Queen, he said, 'I suppose I shall see a pair of these gates to *Merlin's Cave*, to complete your nonsense there.' (This *Merlin's Cave* was a little building so christened, which the Queen had lately finished at Richmond.) The Queen smiled, and said *Merlin's Cave* was complete already; and Lord Hervey, to remove the King's fears of this expense, said that it was a sort of work that if his Majesty would give all the money in his exchequer he could not have now. '*Apropos,*' said the Queen, 'I hear the Craftsman has abused *Merlin's Cave.*' 'I am very glad of it,' interrupted the King: 'you deserve to be abused for such childish silly stuff, and it is the first time I ever knew the scoundrel in the right.'

'This the Queen swallowed too, and began to talk on something else, till the conversation (I know not by what transition) fell on the ridiculous expense it was to people, by the money given to servants, to go and stay two or three days with their acquaintance in the country; upon

which the Queen said she had found it a pretty large expense this summer to visit her friends even in town. 'That is your own fault,' said the King; 'for my father, when he went to people's houses in town, never was fool enough to be giving away his money.' The Queen pleaded for her excuse that she had only done what Lord Grantham had told her she was to do: to which his majesty replied, that my Lord Grantham was a pretty director; that she was always asking some fool or other what she was to do; and that none but a fool would ask another fool's advice. The Queen then appealed to Lord Hervey whether it was not now as customary to give money in town as in the country. He knew it was not, but said it was. He added, too, that to be sure, were it not so for particulars, it would certainly be expected from her majesty. To which the King said, 'Then she may stay at home, as I do. You do not see me running into every puppy's house, to see his new chairs and stools. Nor is it for *you*,' said he, addressing himself to the Queen, 'to be running your nose everywhere, and trotting about the town to every fellow that will give you some bread and butter, like an old girl that loves to go abroad, no matter where, or whether it be proper or no.' The Queen coloured, and knotted a good deal faster during this speech than she did before, whilst the tears came into her eyes, but she said not one word. Lord Hervey (who cared not whether he provoked the King's wrath himself or not, provided he could have the merit to the Queen of diverting his majesty's ill humour from her) said to the King, that, as the Queen loved pictures, there was no way of seeing a collection but by going to people's houses. 'And what matter whether she sees a collection or not?' replied the King. 'The matter is, Sir, that she satisfies her own curiosity, and obliges the people whose houses she honours with her presence.' 'Supposing,' said the King, 'she had a curiosity to see a tavern, would it be fit for her to satisfy it? and yet the innkeeper would be very glad to see her.' 'If the innkeepers,' replied Lord Hervey, 'were used to be well received by her majesty in her palace, I should think the Queen's seeing them at their own houses would give no additional scandal.' The King, instead of answering Lord Hervey, then turned to the Queen, and, with a good deal of vehemence, poured out an unintelligible torrent of German, to which the Queen made not one word of reply, but knotted on till she tangled her thread, then snuffed the candles that stood on the table before her, and snuffed one of them out; upon which the King, in English, began a new dissertation upon her majesty, and took her awkwardness for his text.—*Ib.* pp. 49—51.

What a melancholy scene do these passages present, and yet we need not wonder at the facts they disclose. The infidelity of the king was openly countenanced by the queen. She retained in her service, and invited to her palace, those from whom she ought to have shrunk as the plague. The woman and the wife were sacrificed to the queen. Ambition was her ruling passion, and for its indulgence she bartered the purest and noblest sentiments of our nature. The minister of her



husband was permitted to insult her by urging, at length, and repeatedly, an active concurrence in that husband's infidelity; and, to crown the whole, and as if to destroy every vestige of respect and sympathy, the correspondence carried on with her husband, during his frequent absence, was minutely descriptive of the licentious intrigues in which he engaged. We pass over this subject, as well as the disputes, of the royal family, as too disgusting to be dwelt on. In the case of any other people, they would have left a permanently debasing influence; and even as it was, they did much to lower the morality of the nation. We are no admirers of the political character of George III., but his personal influence, as well as that of his queen, was immensely beneficial. They found the court an Augean stable, and left it a not altogether unfitting residence for female modesty and manly virtue.

The sympathies of George II. were anti-English. He was a German in taste as well as birth, and the great difficulty of Walpole was, to prevent his sacrificing the interests of this kingdom to those of Hanover. Deep as were the faults of Walpole, we owe him much on this account. He was an English minister, and he acted as such. It is true, that his own interests and those of his party were identified with this policy, and we cannot, therefore, cede him very high praise. Nevertheless, from whatever motive it arose, he sought to prevent his master from being involved in the complex web of continental politics, and for this we thank him. The king was at no pains to conceal his preference; and the queen, though vastly his superior in intellect, did not greatly differ from him on this point:—

'In truth,' says our author, 'he hated the English, looked upon them all as king-killers and republicans, grudged them their riches as well as their liberty, thought them all overpaid, and said to Lady Sundon one day as she was waiting at dinner, just after he returned from Germany, that he was forced to distribute his favours here very differently from the manner in which he bestowed them at Hanover; that there he rewarded people for doing their duty and serving him well, but that here he was obliged to enrich people for being rascals, and buy them not to cut his throat.

'The Queen did not always think in a different style of the English, though she kept her thoughts more to herself than the King, as being more prudent, more sensible, and more mistress of her passions; yet even she could not entirely disguise these sentiments to the observation of those who were perpetually about her, and put her upon subjects that betrayed her into revealing them.

'I have heard her at different times speak with great indignation against assertors of the people's rights; have heard her call the King, not without some despute, the humble servant of the parliament—the pensioner of his people—a puppet of sovereignty, that was forced to go

to them for every shilling he wanted, that was obliged to court those who were always abusing him, and could do nothing of himself. And once added, that a good deal of that liberty that made them so insolent, if she could do it, should be much abridged; nor was it possible for the best prince in the world to be very solicitous to procure benefits for subjects that never cared to trust him. At other times she was more upon her guard.'—*Ib.* p. 30.

George II. was, in consequence, greatly unpopular, and the national feeling vented itself in various ways. His immorality disgusted the more sober part of the nation, his personal carriage extinguished all esteem and attachment, and his frequent visits and protracted residence at Hanover, were resented as an insult by his English subjects. The popular feeling was expressed in pasquinades and practical jokes, of which Lord Hervey gives the following specimen:—

'An old lean, lame, blind horse was turned into the streets, with a broken saddle on his back and a pillion behind it, and on the horse's forehead this inscription was fixed:—

*'Let nobody stop me—I am the King's Hanover Equipage, going to fetch his Majesty and his — to England.'*

'At the Royal Exchange, a paper with these words was stuck up:—

*'It is reported that his Hanoverian Majesty designs to visit his British dominions for three months in the spring.'*

'On St. James's gate this advertisement was pasted:—

*'Lost or strayed out of this house, a man who has left a wife and six children on the parish; whoever will give any tidings of him to the churchwardens of St. James's parish, so as he may be got again, shall receive four shillings and sixpence reward. N.B. This reward will not be increased, nobody judging him to deserve a Crown.'*—*Ib.* p. 191.

We have marked several other passages for extract, but having already exceeded our limits, must refer our readers to the volumes themselves. No future historian will attempt to record the reign of George II. without availing himself of the information they supply. They are absolutely needful to a clear apprehension of the politics of this period, and will take their rank accordingly. We could specify a hundred cases in which the writer is hasty, prejudiced, or insincere; but, after all the deduction which truth requires, his *Memoirs* are by far the best, the fullest, and the most truthful narrative we have yet received, of one of the least attractive periods of our history.

Mr. Croker has discharged his task with great skill. The biographical notice of Lord Hervey, which he has prefixed, is a fitting Introduction to the '*Memoirs*,' and the numerous Notes interspersed, form an admirable specimen of what such illustrations should be.

ART. V.—*An Estimate of the Human Mind ; A Philosophical Inquiry into the Legitimate Application and Extent of its Leading Faculties, as connected with the Principles and Obligations of the Christian Religion.* By John Davies, D.D. A new edition, with large additions. London. John W. Parker. 8vo. pp. 631.

JOHN FOSTER has indicated a sorely prevailing evil, in his complaint of the lack of 'what may be called *conclusive* writing and speaking.' Many of his readers must have recognized in that remark, the utterance of a feeling which they could not have expressed so happily, but which has often awakened their impatience. We read, or we listen, perhaps not without interest ; but at the close of a passage, or a paragraph, a chapter or a discourse, we do not feel, as Foster says, that anything is *settled*, or *done*. We have yielded an assent, or a half assent, to each successive sentence : but at the close, we are where we were at the beginning, not perfectly certain whether the speaker or writer has attained his object, or what precisely his object was, and uncertain whether to throw the blame of our uncertainty, on him, or on ourselves.

We do not mean to say, nor do we suppose that Foster meant, that no train of thought can be thoroughly satisfactory to the hearer's or reader's mind, unless it be a train of reasoning, and 'conclusive' in the sense of 'demonstrative.' A train of thought may be highly satisfying, impressive, or instructive, that is bound together, not by logic, but by association. It may be explanatory or illustrative. It may appeal to the feelings, or kindle the imagination, or refresh the memory. The author who expresses plainly and forcibly a thought that had before been vague and undefined, or supplies us with a link between two propositions that had before lain disjointed, and apart, in our minds, as truly enriches us, as if he communicated a new truth or exploded a positive error. He who produces a vivid impression from a familiar object and strikes fresh sparks of feeling out of old thoughts, who new points a trite but useful truth with an apt metaphor, or sets a keen edge on our worn and blunted convictions, renders us a most important service. On the other hand, we can put up with a dull path, if it lead to a spot worth visiting ; and the toil of a dry argument is well repaid by an enlarged prospect of truth, or the repose of more secure conviction. But a train of thought which is abstract without being logical, and contemplative without being imaginative,—neither riveted by argument, nor fired by fancy,—is apt to be a very tedious affair.



And of all subjects, metaphysics is that in which this inconclusive style of writing is, as Dogberry says, 'most tolerable and not to be endured.' It is bad enough in reference to religion; but we forgive a man on account of his good intentions, and hope that to some minds, not afflicted with logical acumen, he may be useful. But any one who publishes on metaphysics, challenges the severest ordeal. He is a bold man, and ought to be very sure of his ground, who deems himself qualified to offer anything really new, true, and valuable, on topics which have exercised to the utmost, the energies of the strongest and most piercing intellects; and of which, it requires more than average capacity, even to see the difficulties.

These remarks may seem an ungracious introduction to our criticism of the volume before us. Yet really it is not our fault that they suggest themselves. We have not the slightest personal knowledge of the author; but we can assure our readers that we opened his volume with all the respect due to a handsome octavo of six hundred and thirty pages, by a doctor of divinity, treating on the highest themes of human speculation, and bearing on its cover, the significant words, 'New Edition.' We hailed it as a fresh omen of the revival of metaphysics. If the opinion, which, after careful examination, we feel bound to give, be less favourable than we expected, it is not from any want of inclination to judge favourably. Indications appear, throughout the volume, of piety and good sense. On many points, the author's views are both sober and sound: and he shows himself acquainted not merely with the form, but with the reality of christianity. Many of the remarks, for example, in Book V, on the use and the abuse of the affections in religion, are very judicious, if not very original. Of the extent of the author's reading, the comparatively few references to metaphysical writers scarcely enable us to judge; though, from the manner in which he speaks of Locke and Brown, and the vague allusions to 'many authors,' and 'opinions frequently held,' we should not imagine it to be very wide. But he has evidently thought much on metaphysical questions. And we are informed in the preface, that 'some members of the council of the London University,' (University College) considered Dr. Davies qualified, several years ago, to become 'a candidate for the professorship of moral and political philosophy in that institution.' A genius for making discoveries in a science, however, or even a talent for expounding its principles, is no necessary adjunct to a taste for its cultivation. And with all deference to the unknown gentlemen thus mysteriously hinted at in the preface, and every wish to do justice to our author, he appears to us deficient in some of the most important qualities of a metaphysician.

The two tests of a metaphysical thinker, we take to be, his power of analysis, and his power of expressing thought. Analysis is the only weapon by which new conquests can be effected in this territory. Next to the power of effecting these, is the faculty of exhibiting, in luminous and compact form, truths already discovered. And the style of a writer will be found, we apprehend, a faithful index of what may be expected from him in either respect. Even the cumbrous nomenclature of a Kant, the cloudy phraseology of a Coleridge, may safely be taken as indicating some pervading deficiency either in the mind, or in the system, that could not express itself more perspicuously. Such thinkers as Locke, Leibnitz, Berkeley, Pascal, impress their own royal mintage on the ore of thought; and it is the form, often, as much as the value of the thought, that gives it currency.

In the former respect,—the power of analysis,—Dr. Davies is lamentably deficient. At the outset, his object is intimated to be, to consider the great scheme of christianity, as ‘bearing a relation, and as directly addressing itself, to one or other of the following faculties of man’s soul:—his reason—his will—his conscience—his imagination—or his affections.’ (Pref. p. iv.) Passing over, for the present, the vagueness of the very object of the work, as thus set forth, we would ask, why is the mind regarded as divided into these faculties, and no others? ‘Reason’ as we afterwards find (p. 62,) is used by our author to signify ‘that capacity of the mind, by which a judgment is formed on a cool and discriminating survey of the grounds of belief—that intellectual faculty, in the exercise of which, a conclusion is arrived at, after a careful and diligent examination of premises.’ In briefer terms, reason, according to our author, is the faculty of judgment and ratiocination. What then are we to say of that faculty—call it reason, understanding, intellect, what you will, by which *ideas*, such as those of love, truth, goodness, responsibility, of reason itself, and conscience, of eternity, and of God, are created? Does not christianity address itself to this faculty? What, again, shall we say of the *interpreting* faculty, (by whatever name it may be distinguished) whereby language and signs of all kinds become conductors of thought; which recognizes the spiritual under the disguise of the material and the typical, and to which all nature is a glorious language, replete with meaning, and eloquent of deity? Does not revelation address itself far more directly to this, than to the mere logical faculty which Dr. Davies calls reason? Under which of his divisions, moreover, shall we rank faith? Nowhere, if we remember correctly, has the author attempted either to analyse or to define

faith. Yet is it not among the 'leading faculties of the soul?' Or has 'the great scheme of christianity' no relation to it?

If we turn to those parts of the volume, in which these faculties are severally discussed, we find a deficiency of analytic penetration and precision, such as might be augured from the preface. Book II, for example, is occupied with 'an inquiry into the nature and extent of the faculty of volition, as connected with moral agency, and religious obligation.' By way of beginning at the beginning, Section I, treats of '*the choice of simple tendency, as displayed in material substances;*' and Section II, of '*sensitive preference, the next stage of the elective process.*' Thus at the very outset, the readers' mind is distracted and confused, by inquiries perfectly foreign from the matter in hand, and by those very analogies from material and animal nature, which a clear-headed metaphysician would most cautiously avoid. Whether the forces that govern the material universe, are of a spiritual nature, and whether animals are endowed with reason and will, are questions in themselves deeply interesting: but to mix them up with an inquiry into human volition, can produce nothing but confusion. Section IV, we may observe, is devoted to the establishment of the very original and abstruse position, that '*Life may be regarded as a first principle,—as a fundamental and indispensable requisite to a moral agent, to a being capable of exercising rational volition.*' (p. 166.) When at length we come to inquire what the 'nature and extent of the faculty,' really are, we are told:—

'Volition, or willing, indeed, is *more* an act of mind yielding to this superior claim,' (viz. the result of 'a latent, if not a *palpable and open algebraic* process of calculating the plus and minus of enjoyment expected to be enjoyed from the respective candidates for preference and superior regard,') 'and recognizing its legitimate demand to attention and pursuit, *than any particular power or faculty* existing in the mind. It is that *determination of the judgment*, frequently accompanied with a *strong feeling of the heart*, which *tells in clear and intelligible language*, that such an object or such a line of conduct is that which, has most aptitude to give happiness, either with respect to loveliness or permanence, or perhaps to both.'

This account, miserably erroneous, and inadequate, as we believe, of the most wonderful faculty of our nature, 'that which makes us persons, not things,' is given without the slightest hint that it has been, or may be questioned. We wonder if the learned author ever met with a volume entitled '*Aids to Reflection!*' It is not our object, here, to discuss his view of volition. But we must say that it appears to us to lead inevitably to the



doctrine of philosophical necessity. Do not let our readers conclude, however, that it leads our author to that doctrine, of which he says, that it 'absolutely, and with a few slight evasions, avowedly confounds virtue and vice, sin and holiness, as developed in the character of man.' Dr. Davies appears to be of opinion, that we may adopt a principle without being at all bound to accept its logical consequences, if we don't like them. He tells us in his preface, 'extreme opinions on speculative questions, I have cautiously avoided, and have endeavoured to point out their danger.' A writer who adopts this as his maxim, instead of following out his convictions of truth, whithersoever they may tend, may not go very far wrong, even if he always makes a mistake at the first step; but in his care to avoid extremes, he is extremely likely to be sometimes extremely inconsequent, and generally extremely common-place.

Dr. Davies's account of Conscience is as little to our taste as that of Volition. Let our readers see what they can make of it. After some sensible, though excessively diffuse remarks on the influence of circumstances and society on the gradual development of the moral faculties, the author observes that, at first, the infant is influenced simply by what is agreeable to itself, or the reverse.

'As, however, its powers of observation and experience begin to expand, and the results of the exercise of benevolence and self-denial, which within certain limits are essential to any measure of happiness and security in a social state, are instilled into its mind, *it learns to think it right to extend its views* somewhat beyond its own present physical enjoyment, for otherwise, happiness could not upon any scale exist. From the delight which it *derives from pleasure of every kind, it, by degrees, comes to regard happiness or enjoyment as a positive good, and, therefore, inherently desirable.* Hence, every mode of conduct which experience has shown to be, on the whole, calculated to promote happiness, is viewed in the same light; when the idea of rectitude or justice has been once gained as a *relation inseparably connected with the benevolent constitution of nature*, that of duty necessarily springs out of it.'

Does the writer mean, that regarding every mode of conduct which is calculated to promote happiness, (quære, *whose* happiness?) as a positive good, and *therefore* inherently desirable, is the same thing with gaining the idea of rectitude? If he does not, we can see no connexion between the last two sentences just quoted, and no attempt to explain what conscience is. If he does, we must utterly dissent from such a theory, and protest against its being thus coolly assumed as an admitted truth. As to saying that the idea of duty 'necessarily springs out of' that of rectitude; that is just saying that we have ideas because

we necessarily have them ; a profound principle which doubtless will shed great light on mental philosophy.

If we pass on to Book IV, which treats of Imagination,—a faculty too carelessly treated by mental philosophers, and regarding which, there is really room for interesting and original remark, we are struck by the same absence of anything like penetrating or correct analysis. Instead, we have only confused description, and inflated declamation. A more complete example of an unsuccessful attempt at philosophical discrimination, could not easily be found, than that which the author makes at p. 373, to distinguish between fancy and imagination. Confounding, with characteristic want of exactness, the names with the faculties themselves, he tells us that, though '*with respect to their etymological origin*' they 'spring from sources very closely allied,' yet they may be clearly distinguished ; not, however, as two faculties, but as *different exercises* of one faculty. After attempting, not to define, but to illustrate this difference, the author winds up by informing us that,—

'To institute another comparison, the operations of fancy are pictured by the wanton play of light and shade exhibited on a spot partly illumined by the penetrating rays of the sun, and partly darkened by the superincumbent foliage of a tree, as the wind rustles among its branches ; while those of imagination may be more aptly represented by the vivid corruscations of lightning.' (!)

After this, our readers will not wonder if we say that, instead of exhibiting the distinction between fancy and imagination, the author has only exhibited how little he understands the matter.

Vagueness of thought is, indeed, a pervading characteristic of the volume. Sharply defined ideas, tangible propositions, condensed arguments, methodical inductions, are rare. It would be uncivil, to intimate a doubt whether the author of so large and handsome a volume, had himself a definite and complete object in his mind's eye, in writing it. But we may be permitted to doubt whether he has succeeded in placing it clearly before his readers. All the terms employed in the long-winded title are of a vague, indeterminate character. What are we to understand by 'the leading faculties of the mind?'—or what, by the *legitimate extent* of our faculties? or by their extent *as connected* with religion? In the preface, we are told that the christian scheme may be viewed as addressing itself to certain faculties ; but the work is occupied, not with christianity, but with the mind. We are told again, that 'the object of these dissertations opens a very important view of the philosophy of the human mind. But what view, or in what way opened, is not very clearly pointed out.

A general survey of the work discloses, in fact, no guiding principle running through the whole. The form of a systematic treatise, therefore, appears to us unhappily chosen. If the author could have condensed this huge octavo into a moderate duodecimo volume of distinct essays, he might have produced a less ambitious work, but a far more readable and useful one.

As it is, what is really valuable in the book is in danger of being overlooked in the cloud of words in which it is enveloped. The style is diffuse in the extreme: often running into a tumid grandiloquence, that reminds one of a schoolboy's prize essay. But for the title page, we should from the style have imagined the book to be from the pen of some youthful preacher, more accustomed to extemporaneous declamation than to severe thought, or to the study of the best authors. The introduction is an essay on just such a theme as is commonly selected to exercise the unfledged powers of juvenile rhetoricians:—'The Influence which the general pursuit of Knowledge appears calculated to exert on the Character of the Individual and the Welfare of Society.' On the first page, we have of course an allusion to Bacon; on the second, the weighty aphorism, that 'it is also true that life is short;' while the course of the essay is garnished, after the approved fashion of theme-writing, with such choice and scholar like quotations as, 'a little learning is a dangerous thing,' 'where ignorance is bliss, 'tis folly to be wise;' and even our old friend 'Ingenuas didicisse fideliter artes,' etc., *translated* at full length in the text, and the original given in the margin. If fluency in expatiating on truisms be eloquence, and skill in diluting sense with words be a sign of genius, the learned author has established claims to both, seldom rivalled. Let our readers take one or two additional specimens. The author is discussing the abstruse position, that 'punishment is not inflicted where reason is incapable of exercising its control.' After illustrating his point from 'the child wreaking its little passing vengeance on the chair or table,' or, 'applying more calm chastisement to the picture, or the doll,' he proceeds in a more exalted strain:—

'But when we contemplate the inflated and frantic Xerxes at the head of the armies of the East, ordering the infliction of so many lashes upon the Hellespont as a rebel, who had the insufferable daring to disturb the arrangements of his master's mighty armament; we not only laugh at the folly and complete futility of such an act, but we are astonished at the effect of flattery and despotic power, in paralysing the faculties of the understanding so completely, and in strengthening the vindictive and malignant passions to a degree that is destructive of all sense and reason.'

—p. 172.

Here follows a sentence, a page long, on the folly of tyrants



in inflicting indignities on the dead bodies of martyrs, etc., seeing, that '*in such cases punishment and suffering are completely out of the question.*' Lest this should be considered a dubious point however, the author adds, 'we are perfectly conscious that the *vitally susceptible alone can feel a pang, as well as experience a transport.*' The following is a choice specimen of the similes which abundantly adorn the work:—

'As the element of heat, by its effect upon the chemical fluid in which the character had been traced, brings out into distinct and legible forms, what before had lain concealed in the colourless uniformity of a blank; so the *commingling glow of expanding faculties*, actuated and controlled by social and circumstantial influences, calls out and gradually *embodies into unavoidable recognition* those moral intimations and impressions, which however they may be occasionally perverted and misconstrued, are felt to be as true as nature itself, and as firm as the foundations of the universe.'—p. 317.

On the preceding page, the author tells us that he will not attempt to revive the doctrine of innate practical principles, '*which Locke was at so much pains to explode.*' But in the breath, he not only does the very thing which he says he will not do; but in the following alarming string of comparisons, he sets forth the processes to which these innate principles may be subjected without being destroyed.

'They may be distorted, indeed, from their original bearing, they may be *corroded* by an *ungenial* atmosphere, they may be overwhelmed *beneath* the thick layers of *surrounding* corruption, they may be deluged by the overflowing tide of headlong and ungovernable passions; but amidst all this *disorder of functions and dislocation of parts*, their elements will be found, if we may so speak, *among the lower strata* of the mental system, like a monumental pillar *buried in some destructive convulsion of nature* beneath a *mass of earth and rubbish*, and requiring only to be *cleared* and raised to light, in order to exhibit the same unalterable inscription.'

Whether this be 'fancy' or 'imagination,' we must leave our readers to decide. We have marked a number of other passages, not less astonishing. Even where the author hits upon a happy simile, he takes care to smother it with verbiage. Thus, when he would compare a greater or less proximity of causation to the difference between firing a train and dropping a spark into the barrel, he tells us, 'The difference is *no other than that of laying a train of greater or less complexity, and that of immediately and directly applying the igneous spark*, (did our readers ever see an *aqueous* spark?) of which combustion, in either case, is the necessary and *inevitable* result.' But we forbear; and content ourselves with seriously recommending that

if another edition of the work should ever be called for, the author should strike out on an average two words from every three, and at least half the similes, and then study how the remainder might be expressed in the most condensed form.

We wish we could have noticed in a different strain, a work which contains many sensible and some valuable remarks, and which displays throughout a pious and christian spirit. But we should be doing injustice to the metaphysical student, if we induced him to spend on such a work the hours that might be given to Aristotle or Locke. We should also deem ourselves wanting in a very serious duty, as reviewers, if we did not do our best to warn young writers against mistaking vagueness for abstruseness, fluency for fertility, or verbosity and bombast for eloquence and fine writing.

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ART. VI.—‘*The very Joyous, Pleasant, and Refreshing History of the Feats, Exploits, Triumphs, and Atchievements of the Good Knight, without Fear and without Reproach, the gentle Lord de Bayard.*’ Set forth in English, by Edward Cockburn Kindersley. London: Imprinted for Longman and Co.

WITH the fame of the gentle knight, ‘*sans peur et sans reproche*,’ Pierre du Terrail, Lord de Bayard, we have all been familiar from infancy, although a detailed account of his prowess is seldom to be met with. The quaintly titled, and quaintly ‘imprinted’ volume before us, supplies this deficiency from a very interesting source,—the Memoir published in 1527, three years after his death, and which is believed to have been written by his secretary, who designates himself simply as ‘*le loyal serviteur*.’ Of this characteristic Memoir, Mr. Kindersley has given us a condensed translation, in which he has ‘endeavoured to preserve,’ and we think very successfully, ‘something of the quaint simplicity of the old chronicle.’

The value, and occasional historical importance, of these small contemporary memoirs, are in the present day acknowledged; and as a picture of that unsettled transition period, the earlier part of the sixteenth century; and of the knightly character of one, who, in the decline of chivalry exhibited the qualities which belonged to its brightest period, as well as in those minute touches, which place the social life of the age before us, this work is well worthy of perusal. As a drawing-room book, however,

—which, from its expensive ‘getting-up’ we presume Mr. Kindersley intended,—we can scarcely admire it. The record of battles, sieges, and single combats, is too unrelieved by more pleasant matter, to render it a volume one would wish to take up, to beguile an unoccupied hour.

Our hero, Bayard, was descended, not only from an ancient, but emphatically a fighting family. His great great grandfather lost his life at the battle of Poitiers, his great grandfather was slain at Agincourt, ‘his grandfather was left on the field of Montlhery, with six mortal wounds, not to speak of lesser ones; and at the battle of Guignegaste, his father was so severely wounded, that he was never afterwards able to leave his house, where he died at the age of eighty.’ It was, therefore, with great delight, that the old man found one, among his four sons, who was willing to follow the career of arms, and at little more than thirteen years of age, Pierre, under the protection of his uncle, the bishop, was placed at Chambery as page to the Duke of Savoy. His ‘witching horsemanship’ soon attracted the notice of the king of France, and he was transferred to his service, and soon after commenced his squirehood, by bearing a gallant part in a passage of arms against master Claude de Vaudray. Never was youth more beloved than he, ‘for if any of his companions lost his horse, he remounted him; if he had a crown in his purse, every one shared it,’ while, ‘young as he was, the first thing he did when he rose, was to say his prayers.’ When King Charles VIII. conquered the kingdom of Naples, ‘and brought the pope to reason,’ Bayard accompanied him, and to us, one of the most curious parts of the Memoir, is that which details the wars of France with the Holy See, and the almost contemptuous manner in which Pope Julius is mentioned by the writer, albeit he professes himself a good catholic. Here is a characteristic extract:—

‘The Pope arrived by slow marches at a large village called Saint Felix, between Concordia and Mirandola. Thence he sent to the Countess of Mirandola, then a widow, to deliver up her town to him; but she, who was daughter of Jean Jacques of Trevulce, and had the courage of her father, was devoted to the French interests, and would rather have died. She returned for answer, that the town was her own, and that by God’s help she would defend it against all who attempted to take it from her. The Pope was very angry, and swore by Saint Peter and Saint Paul that he would have it by fair means or by force, and ordered his nephew, the Duke d’Urbino, his captain-general, to go and lay seige to it.

‘The good Knight, who never spared his money to have good intelligence from his spies, was informed by them that the Pope would leave Saint Felix the next day, with his cardinals, bishops and pro-



thonotaries, escorted by a hundred horse, to join his camp before Mirandola, and he immediately formed a plan for seizing the Pope and all his cardinals, which he communicated to the Duke and the lord de Montoison.

‘From Saint Felix to Mirandola the distance was six good miles, and on the road were many fine palaces, which had been abandoned on account of the war. During the night, the good Knight placed himself in ambush in one of these, with a hundred picked men-at-arms, having requested the Duke and the lord de Montoison to pass the bridge in the morning with the rest of the cavalry, and wait for him about four or five miles from Ferrara, to receive him in case of any mishap or his being pursued.

‘The Pope, who was an early riser, got into his litter at daybreak to go straight to his camp, and was preceded by his prothonotaries, clerks, and officers of all sorts, to prepare his quarters. When the good Knight heard them approach, he quitted his ambush and charged them. They, terrified, turned about, and giving their horses the rein, fled full gallop, crying, Alarm! Alarm! But this would not have served, and the Pope, his cardinals, and bishops would have been taken, but for an accident very fortunate for the holy father, but most unlucky for the good Knight. It was this; that the Pope in his litter had not gone a cannon-shot from Saint Felix, when there fell such a snow-storm as had not been seen for a century, so thick that they could not see one another. The Cardinal of Pavia, who was then the Pope’s prime minister, said to him; ‘Holy father, it is impossible to cross the country whilst this lasts; it is necessary and your duty to return;’ to which the Pope assented; and as ill luck would have it, as the fugitives were returning, and the good Knight spurring in pursuit, just as he arrived at Saint Felix, the Pope was entering the castle, who, hearing the cry, was so frightened, that he leaped from his litter without assistance, and himself helped to raise the drawbridge; which was done like a man who had his senses about him, for had he tarried the saying of a pater noster, he had been caught.’—pp. 124—127.

‘The good knight was much chagrined at his failure,’ naïvely remarks the writer, nor, although he tells us that ‘the pope was all day in a fever from the fright he had had,’ does he express any sorrow. The hold which the papacy had on men’s minds, must have been greatly weakened, for a writer, acknowledging himself a member of the Roman church, thus to express himself. It was at the capture of Brescia, that the incident most generally told in illustration of Bayard’s liberality took place. The narrative given here is extremely characteristic, and well told. He was carried, dangerously wounded, after the capture of the city, ‘to the abode of a rich gentleman, whose wife remained with no other protection than our Lord’s, with two lovely daughters, who were concealed in a loft under some hay.’

‘The lady of the house conducted him into a handsome chamber, and throwing herself on her knees before him, besought him to save the

honour and the lives of herself and her two young girls, who were just of marriageable years. The good Knight, who never entertained a wicked thought, replied, 'Madam, I know not whether I shall recover from my wound; but whilst I live, no insult shall be offered to you or your daughters; only keep them out of sight. And I assure you that you have here a gentleman who will not plunder you, but shew you any courtesy in his power.' He then prayed her to send for a surgeon quickly, to dress his wound. She went herself with one of the archers to seek him, for he lived but two doors off. When he came he examined the wound, which was deep and wide; and having extracted the iron, which was a most painful operation, he assured the good Knight that it was not dangerous. At the second dressing came the surgeon of the Duke de Nemours, who afterwards attended him, and treated him so skilfully, that in less than a month he was ready to mount on horse-back.

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'The lady of the house, who always deemed herself, together with her husband and daughters, his prisoners, and that all her moveables were his, (for that had been the practice of the French in other houses, as she well knew,) considered that if he were disposed to treat them with rigour, he might mulct them in ten or twelve thousand crowns. She therefore determined to make him some handsome present, persuaded, from her knowledge of his character and gentle heart, that he would be graciously content therewith.

'The morning of the day of his departure, she entered his room with one of her servants carrying a small steel casket, and found him reposing in a chair, after having walked a good deal to exercise his leg. She threw herself on her knees, but he immediately raised her, and would not suffer her to speak a word till she was seated by him; and then she commenced thus: 'My lord, God has been gracious to me in sending you to this house at the taking of the town, to preserve the lives of my husband, myself, and my two daughters, together with their honour, which they hold more dear. And moreover, from none of your people have I experienced the slightest insult, but on the contrary all courtesy.'

\* \* \* She then took the box from the servant, and opened it before the good Knight, who saw it was full of shining ducats. He, who never in his life cared for money, began to laugh, and asked her how many there were in the box. The poor woman, fearing he was angry at seeing so little, said 'My lord, there are but two thousand, five hundred ducats; but if you are not content, we will find more.' 'By my faith, madam,' replied he, 'were you to give me a hundred thousand crowns, you would not confer on me what I should prize so much as the good cheer I have enjoyed here, and the attentions you have shewn me; and I assure you, that wherever I may be, you will have, whilst God spares my life, a gentleman at your command. For your ducats, I thank you, but will none of them.' \* \* \* When he saw her so resolute, he said, 'Well, Madam, I accept it for love of you; but seek me your two daughters, for I must bid them adieu.' The poor woman, who deemed herself in paradise at her present being accepted, went to find her daughters. They were handsome, good, and well educated, and had much beguiled the tediousness of the good Knight's illness, as they could

sing well, play the lute and spinette, and work cleverly with the needle. They were brought before the good Knight, who, while they had been arranging their dress, had divided the ducats into three parts; in two, a thousand each, and in the third, five hundred. When they arrived, they fell on their knees, but he forthwith raised them, and the eldest said, 'My lord, we two poor maidens, whom you have honoured by protecting us from all injury, are come to take leave of you, humbly thanking you for the favour you have shewn us, for which, having nothing else in our power, we shall never cease to pray God for you.'

'The good Knight, almost moved to tears at seeing so much sweetness and humility in these two lovely girls, replied, 'Young ladies, you are doing what I ought to do; which is to thank you for your good company, for which I am much bounden to you. You know that soldiers do not carry about handsome presents for ladies, and it grieves me much not to be so provided. Your lady mother here has given me two thousand, five hundred ducats, which you see on this table. I present each of you with a thousand as a wedding present; and in return I only ask you to be pleased to pray God for me.' He put the ducats in their aprons whether they would or no; and then addressing his hostess, he said, 'Madam, I will take these five hundred ducats for myself, to apportion them amongst the poor religious houses which have been pillaged; and request you to undertake the charge, as you will best know where the need is greatest. And so I take my leave of you.'—pp. 158—167.

There are many minute traits in this Memoir which are curious. We are told, for instance, that the French began to suffer for want of provisions, 'for the Venetians had cut off their supplies of bread, and wine, so they were *forced to subsist* on flesh, and cheese.' How unchanged are national tastes as to diet. But how changed are mealtimes. 'In the month of October,' says the writer, 'the king (Louis XII.) reluctantly espoused the Lady Mary, sister of the King of England; and after that the Queen Mary had made her entry into Paris, which was in great state, and that many jousts and tournaments, which lasted six weeks, were over, the good king, who, for his wife's sake had changed his whole manner of living, (for whereas he was wont to dine at *eight o'clock*, he was obliged to dine at mid-day: and whereas he was wont to go to bed at six in the evening, he now often did not retire till midnight,) fell sick and died.' This queen was the beautiful sister of Henry VIII, whose strong attachment to Charles Brandon, and hurried marriage, forms so romantic an episode in the gloomy history of her brother's reign. Francis the first, 'the handsomest prince of his day,' succeeded, and Bayard soon rose high in his favour, even to the king requesting knighthood at his hands. This was after his victory over the Swiss.

'As by the rules of chivalry a knight only could confer knighthood,



the King, before making the others, sent for the lord de Bayard, and informed him, that he desired to be knighted by him as the knight of greatest renown for his feats of arms on foot and on horseback in divers battles, as Brescia, Padua, and Ravenna. 'Sire,' answered the good Knight, 'he who is crowned, consecrated, and anointed with the oil sent from heaven, and is king of so noble a kingdom, the eldest son of the Church, is a knight above all other knights.' 'Come, Bayard,' said the King, 'dispatch. Allege me not laws and canons; but obey my will and command, if you would be of the number of my good servants and subjects.' 'Certes, Sire,' replied he, 'I will do it not once, but a hundred times at your command.' He then took his sword, and laying it on the King's shoulder, said, 'Sire, may you be as renowned as Roland or Oliver, Godfrey or Baldwin his brother; and God grant you may never turn your back in war.' Then in merry manner he held up his sword, and addressed it aloud: 'Most fortunate art thou to have this day conferred knighthood on so distinguished and puissant a king. Certes, my good sword, I shall keep thee as a sacred relic, honoured above all others; and will never use thee but against Turks, Saracens, or Moors;' and so he returned it to its scabbard.—pp. 214, 215.

At length, after the recital of many deeds of kindness and prowess, we come to the chapter, 'how the good knight in a retreat which took place in Italy, was killed by an artillery shot,' and this is the closing scene.

'He continued to live for two or three hours; the enemy having stretched a handsome tent over him, and laid him on a camp-bed. A priest was brought, to whom he devoutly confessed himself in these very words; 'My God, I am well assured that Thou art always ready to have mercy and to forgive him who turns to Thee with all his heart, however great may have been his sins. Alas! my God, Creator, and Redeemer, I have grievously offended Thee during my life, for which I am heartily sorry. I know well that a thousand years of penance in the desert, on bread and water, were insufficient to gain me entrance into Thy kingdom of Paradise, unless Thou wert pleased of Thy great and infinite goodness to receive me; for no creature in this world can merit such high favor. My Father and Saviour! I beseech Thee not to look upon the faults I have committed, and that I may experience Thy great mercy rather than the rigour of Thy justice.' And with these words he yielded his soul to God.'—pp. 232, 233.

The reader we think must be struck with the peculiarly *protestant* character of this simple prayer. Thus died at the age of forty-eight, in the year 1524, 'the good knight without fear or reproach, the gentle Lord de Bayard.'

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Art. VII.—*Spiritual Heroes ; or, Sketches of the Puritans ; their Character, and Times.* By John Stoughton. London : Jackson and Walford.

HERO-WORSHIP is dying out. It has had its day, and is now giving place to a purer and nobler faith. During many centuries it has been dominant throughout the world. It has reigned everywhere, and found its votaries amongst all classes, the high and the low, the learned and the rude. From times immemorial it has been the universal faith of mankind ; and the few—alas, that their numbers were so small !—who dissented from its worship and exposed its folly, have been deemed the weakest and most contemptible of mortals. We speak, of course, of the actual, not the ideal, hero-worship ; that which has been, not that which might be ; a thing of fact and reality, not of poetry or hope. Carlyle tells us, and his words, properly understood, are correct, that ‘hero-worship never dies, nor can die.’ There is a true, a noble, a divine veneration, as well as a false, perishable one, and the mischief is, that the glowing language of the poet-philosopher, which is true of the former only, is often applied to the latter. The gods whom men have worshipped have commonly been idols, mere creatures of the earth. The warrior who has triumphed in wholesale slaughter, the statesman who has successfully intrigued for power, the man who has adopted the passions of an age, and reduced them to system, and given them a permanent shape,—these have, for the most part, been the idols at whose shrine men have bowed, and on whom historians and poets, novelists, and even philosophers, have waited as officiating priests. The history of man has been a lamentable exhibition of credulity and folly. What is sterling and real has been passed over in contempt, while the ‘garnitures and semblances’ have awakened admiration and commanded worship. The ‘realities and sincerities’ of which Carlyle speaks, however worthy of veneration, have, with rare exceptions, been subjected to temporary eclipse. Failing in the present, they have looked to the future for their reward, and that future has often been long deferred and of slow approach.

The history of puritanism furnishes an illustration. Men may censure it as they please, but ‘it was a genuine thing ; for nature has adopted it, and it has grown, and grows.’ We are only just beginning to realize its truthfulness. Men’s eyes are opening to its genuine traits. They see that its roughness, its austerity, its dogmatism, are but the casket in which a precious jewel was enclosed. A mighty revolution is taking place

in men's thoughts and judgments concerning it, and those who are wise will prepare themselves for a corresponding change in men's conduct. The one will inevitably follow the other. No earthly power can prevent it. A bright mirror has been unveiled, and, as men gaze upon it, they will see the forms of living truth, and be changed into the same image. For upwards of two centuries, puritanism has been descried as a vile leprosy. It is now in a transition state, and, ere long, its radical element, associated with the milder and more tolerant spirit of the present age, will become the ruling power of our country.

With these views, we cordially welcome every contribution to puritan history. They hasten on the progress of the public mind, correct its misconceptions, remove its prejudices, and familiarise it with forms of truth from which it has been accustomed to recoil. This history cannot be too deeply pondered. As the author of the volume before us remarks, 'From the beginning, puritanism has been the soul of English protestantism, and therefore its history deserves to be diligently studied, and its spirit gratefully revered, by all who really value the cause of the Reformation.' The first title of this volume is not quite to our mind. We dislike the whole class to which it belongs; but this is matter of taste, on which authors will have, and are perhaps entitled to have, their preferences. Mr Stoughton's design is not to furnish a history of the puritans.

'He would venture only,' he tells us, 'on a few sketches of their character and times, chiefly with a view to illustrate their spiritual heroism. \* \* \* In executing his task, he has attempted the *painting* rather than the *sculpture* of history, not confining himself to the exhibition of groups in bold relief, or in forms of statuary, but aiming to represent alike the men and the times in which they lived, combining them as in a picture—the former constituting the leading figures, the latter the background of the composition. Guizot speaks of the anatomy, the physiology, and the physiognomy of history—very important distinctions for the historian to remember. It is that branch of the pictorial art of history which represents the last of these, that the Author ventures to attempt. He would fain paint his heroes as living men, their souls beaming in their countenances, and vividly transfer to others the deep impressions which they have made upon his own mind.'—Preface, p. vi.

The object here avowed is most admirable; but we doubt whether the author, in adopting it, has fairly consulted the character of his own mind. His style is wanting in the brilliancy, and point, and condensation, which it requires. His intellect, also, is deficient in graphic power. He does not paint to the life. His canvass does not beam with intelligence. His



heroes do not look out upon us with the glow and freshness of the hour—the passions, or the purpose, which then moved their inner soul. His scenes are characterized by prettiness rather than power, and fail therefore to stir the depths of the heart. His sketches of individuals are also wanting in those minuter and more distinctive traits which give certainty to a likeness. We look in vain for the slight, rapid, and electric touches which specially mark the genius of an artist, and give expression to his portraits. Mr. Stoughton himself appears to have felt this deficiency, and, apprehensive that his readers might not otherwise identify his sketches, has supplied us with the names of several. Locke, Penn, South, and Howe, may be mentioned as instances. Such supplemental information, like the notes to some modern poems, reflects either on the author or his readers. They betoken feebleness and inadequacy of expression on his part, or a discreditable want of apprehension on theirs. Let us not be misunderstood in these remarks. They pertain only to the form, not to the substance, of this volume. The book is a good book, notwithstanding the deficiency, and will prove useful to a large class of readers. Critical justice requires us to point out what we deem a failure in the execution of the work, and, having done so, we proceed with much more pleasure to notice its excellencies. The value of the work is as an introduction to puritan and nonconformist history. In this character it sustains a very creditable position, and will answer a useful purpose. It is well adapted to attract young people to the study of our ecclesiastical records, and to convey to them a general conception of the character and sufferings of our forefathers. Such a book was needed, and the spirit in which this has been composed is at once truthful and catholic, free alike from bigotry and latitudinarianism. The author writes like a man who has thought out and who values his own convictions, but who never permits them to render him insensible to the excellencies of others, or to sanction the intolerance with which some have sought to enforce his views. The volume is divided into thirteen chapters, the titles of which will convey the best idea of its character. They are as follows:—‘The Islington Congregation.—The Three Martyrs.—Pilgrim Fathers.—The Church in Southwark.—The Brave Lord Brooke.—The Westminster Assembly.—Oxford under Owen.—East Anglian Churches.—Black Bartholomew.—The Plague Year.—Tolerance and Persecution.—The Three Death-beds.—The Three Graves.’

The first of these chapters relates to the time of Mary, when popery occupied the high places, and the morose temper and gloomy bigotry of the queen was successfully managed, for priestly purposes, by Gardiner and Bonner. It was a woful

time for England. Its manhood and its virtue were fiercely assailed in the name of the Holy Catholic Church, and for a time they appeared to quail. The exterior of popery was restored; and those who looked only on the surface,—the church processions, the splendid ritual, parliamentary statutes and convocation debates, the fires of Smithfield, and the quietude of the people, may be excused in supposing that popery was permanently restored. 'Religion,' said the Venetian ambassador in writing home, 'though apparently thriving in this country, is, I apprehend, in some degree the offspring of dissimulation. Generally speaking, your Serene Highness may rest assured, that with the English the example and authority of the sovereign is everything, and religion is only so far valued as it inculcates the duty due from the subject to the prince. They love as he loves; believe as he believes. They would be full as zealous followers of the Mahometan and Jewish religions, did the king prefer either.' Such was the language of an Italian respecting our country, and though we now smile at its folly, we must, in mere justice, admit that there was much in the then condition and recent history of our people to warrant it. Mr. Stoughton has collected some interesting traits of this period, when the faithful met 'in the woods of Islington to feed upon the truth,' for which, however, we must refer our readers to his volume. Fox has rendered the persecutions of this reign familiar to all classes, and we therefore prefer taking our extracts from the less known, and more distinctively puritan, portions of the work.

Persecution has not been confined to Catholic times, however much it may suit the purpose of some zealots so to represent it. It has been even recently practised in various Protestant countries, and is now raging in districts which were once deemed the refuge of freedom. In our own country, a Protestant hierarchy has steeped its hands in the blood of the saints. Its mode of procedure has been somewhat different from that of its predecessor, but the spirit of its policy has been equally intolerant. It has wanted the power of the papacy, and has been curbed by the more enlightened and merciful temper of the age; and hence the milder form which its persecutions have taken.

Mr. Stoughton's second chapter records the executions of Barrow, Greenwood, and Penry, and we recommend its attentive perusal to those who eulogize—and there are such—the tolerant character of the Church of England. They were not the only martyrs of this reign. So early as 1583, Elias Thacker and John Copping had been executed at Bury St. Edmonds, for denying the spiritual supremacy of the queen; and vast numbers were from time to time incarcerated, many of whom died under their prison privations and sufferings. Barrow was apprehended

on the 19th of November, 1586, when engaged in an errand of mercy to some of his brethren, who were prisoners in the Clink. It was a Sabbath day, but Whitgift and the bishops, like their popish predecessors, thought they did God service by the extirpation of heretics, and Barrow was therefore immediately arraigned before the Archbishop.

'On the afternoon of that Sabbath,' says our author, 'when it might have been supposed that Whitgift, Bishop of London, would have found some holier employment, Barrowe was brought into the presence-chamber, where his lordship sat in state, and forthwith proceeded to examine him. The plan pursued in this Commission Court was not to try the accused on evidence, but to administer what was called the *ex-officio* oath, and then, by a train of inquisitorial questionings, to endeavour to make the individual criminate himself—a precious piece of criminal jurisprudence borrowed from the Church of Rome, and sanctified by the proceedings of Bonner and others under Queen Mary. Barrowe sturdily refused to be sworn, and gave the Bishop several very short and tart replies; upon which he was committed to the Gate-house, and on the 27th November following was brought before the High Commissioners at Lambeth, where, he informs us, 'he found a goodly synod of bishops, deans, and civilians, beside such an appearance of well-fed, silken priests as might have beseeemed the Vatican.' Again he refused to swear; again he was committed. On the 24th March, he was examined on his affirmation, without oath. It appears, from his replies, that he went further than the Puritans in his ecclesiastical views.'—p. 47.

Heylin and Collier represent Barrow and Greenwood as having been released, on a promise of renouncing their obnoxious opinions, but of this we have no sufficient evidence, nor does it accord with what we know of the men, or with the distinct declaration made by Barrow, to the 'doctors and deans' sent to confer with the prisoners after their conviction, that they 'had been well-nigh six years in their prisons.' If it were so, they were speedily recommitted, as they had been several years in prison when arraigned at the Old Bailey, on the 21st of March, 1592—3. They were indicted on the statute of 23 Elizabeth, for writing seditious pamphlets and books, to the slander of the queen and her government. This was the current phraseology of the day, and when rendered into plain English, simply meant that they denied the spiritual supremacy of the queen. They were of course convicted, and when sentenced to die, 'None of them,' we are informed by the then Attorney-General, 'showed any token of recognition, and of their offences, and prayer of mercy for the same, saving Bellot alone. The others pretended loyalty and obedience to her majesty, and endeavoured to draw all that they had maliciously written and published against her majesty's government, to the



bishops and ministers of the church only.' It would have been more for the honour of the government he served, if this legal functionary had disproved the averment of the prisoners. He was well inclined to do so, and had every advantage on his side. But truth is truth, whatever intolerant bishops may enact, or juries, not yet alive to a sense of their duties, decide. Henry VIII sent catholics and protestants alike, to execution, under a charge of treason, whose only offence was dissent from the royal creed, and his daughter Elizabeth imitated his hypocrisy while she trod in his intolerant steps. The puritans of whom we write were amongst the most loyal of the queen's subjects, but as they could not pronounce the bishops' shibboleth, they were cast out, as the 'refuse and offscouring of all things.' Bigotry thirsted for their blood, yet was willing to compound the death of their body for that of their soul. The day after their condemnation, Barrow and Greenwood were commanded to prepare for execution. Brought forth from their dungeon, they were about to be fastened to the cart which was to convey them to Tyburn, when a reprieve arrived, and the hope of life rose fresh in their hearts. This hope, however, was doomed to disappointment. They would not forswear their convictions, and the human tigers which pursued them, resolved, therefore, on their death. Let the following brief account of what followed, be taken as an illustration of the spirit of ecclesiastical domination under every form, whether protestant or popish.

'On the last day of March, 1593, very early in the morning, as spring was breathing its fresh breezes about the environs of London, the mournful procession of the death-cart, with the condemned and the attendant officers, passed under the archway of Newgate, and slowly ascended Oldburn Hill. It was not studded with buildings and crowded with bustle as it is at the present day, but from the windows in the picturesque gables, which then stood beside the road, there were not a few who looked on the sad procession, and pitied the fate of men so unjustly treated. As the train moved along, persons came out and joined it, to witness the end, if not to sympathize in the sufferings of the martyr pair. They enter St. George's-in-the-Fields, where the fresh grass springing up after the winter snows, and the budding leaves of the hedgerows, symbols of life and mementos of cheerful youth, bringing joy to the hearts of multitudes, are rather calculated to fill with melancholy feelings the breasts of the two condemned, were it not that Christian hope tells them of a rich and everlasting spring-time in the paradise of God, soon to open on their eyes. They reach the gallows-tree at Tyburn, where the vilest malefactors had paid the penalty of their offences, and patiently do they undergo, at the hands of the common hangman, the horrid ceremony of adjusting the ropes to their necks. A large crowd has by this time gathered, notwithstanding the precautions

to keep the tragedy as secret as possible. They are permitted, according to the common custom in such cases, to speak for a few moments, when they express their loyalty to the Queen, their submission to the civil government, and their sorrow for any hasty, irreverent expressions which in the heat of controversy may have escaped their lips. They declare their continued faith in the doctrines for which they are about to suffer, and entreat the people around them to embrace those principles only as they appear to be the teaching of the word of God. They then offer a prayer for her Majesty, the magistrates, and the people, not forgetting their bitterest enemies. A breathless silence pervades the crowd, as every eye is fixed on the men standing beneath the fearful beam, when a faint buzz is heard in the distance, a commotion follows on the outskirts of the dense mass, and a messenger, hurrying his way through the opening ranks, speedily approaches the place of death. The execution is stayed—he has brought a reprieve; the men, though ready to die, feel the life-blood, which had begun already to curdle in their veins, throbbing afresh. They are grateful for the royal mercy, and bless the name of Elizabeth; the multitude partake in the sentiment, and rend the air with acclamations. They return through the green fields and down Oldbourne-hill, accompanied by the people, whose rejoicings on their behalf awaken a sympathetic response on the part of others who line the streets and lanes, to witness this strange spectacle of men brought back from the gates of the grave. The sight harmonizes with the season, and the vernal sun seems to rejoice as he sheds his light on the returning procession. Barrowe, on re-entering his prison, sits down to write to a distinguished relative, describes the scene which has just taken place, and with earnestness implores her ladyship not to let any impediments hinder her from speaking to the Queen on his behalf, before she goes out of the city, lest he perish in her absence. Thus twice had these men passed through the bitterness of death without dying, and now rejoice, though with some clouds of apprehension, in the hope of brighter earthly scenes. But there is no hope for them on this side the grave. The reprieve of to-day, like the former one, is an utter delusion. It is a new method of ingenious torture. Innocent as they are, they must perish. The next morning they are dragged from their cells a third time, to gaze again on the apparatus of death, with which they have become now so strangely familiar, to be led forth to Tyburn, but on this occasion to return no more.—pp. 58—61.

The case of Udal, though he did not die at Tyburn, furnishes an equally flagrant illustration of the enormities practised by protestant prelates. He was indicted under the same statute, for publishing '*The Demonstration of Discipline*,' and by a forced construction of law, was convicted of treason. His persecutors, however, shrank from the odium which would have attached to his execution. They sought his life, but feared the re-action of the public mind. In the meantime, he sank, like hundreds of his brethren, under the accumulated miseries of his imprisonment. In the early part of 1593, 'without any other sickness,'

says Fuller, in his own inimitable style, 'save broken-hearted with sorrow, he ended his days. Right glad were his friends, that his death prevented his *death*; and the wisest of his foes were well contented therewith, esteeming it better that his candle should *go out*, than that it should be *put out*, lest the snuff should be unsavory to the survivors, and his death be charged as a cruel act on the account of the procurers thereof!' The judgments of that day were no doubt so affected, but we see no difference, in point of spirit and criminality, between the martyrdoms of Smithfield and those of Newgate, the burnings of Mary's reign and the slower and more wearing processes, by which the victims of her sister were dismissed to the grave. In a future edition, we suggest to Mr. Stoughton, that the case of Udal will form an appropriate illustration of a large class of martyrdoms.

*The Pilgrim Fathers* form the subject of an interesting chapter. We can only take the following brief extract, from the beautiful address of Robinson to those members of his charge who were about to emigrate to the New World. His words deserve to be engraven on brass. They are amongst the noblest that were ever uttered,—a legacy infinitely more precious than wealth or regal power. May the day never come, when the divine temper they inculcate shall be wanting amongst the congregationalists of Britain.

'Brethren,' said the man of God, amidst a stillness which was broken only by the sobs of his hearers, 'we are now ere long to part asunder, and the Lord knoweth whether ever I shall live to see your faces again. But whether the Lord hath appointed it or not, I charge you before God and his blessed angels, to follow me no farther than I have followed Christ. If God should reveal anything to you by any other instrument of his, be as ready to receive it as ever you were to receive any truth by my ministry, for I am very confident the Lord hath more truth and light yet to break forth out of his holy word.

'Miserably do I bewail the state and condition of the reformed Churches, who are come to a period in religion, and would go no farther than the instruments of their reformation; as, for example, the Lutherans, they could not go beyond what Luther saw; for whatever part of God's will he has further imparted by Calvin, they will rather die than embrace it. So, also, you see the Calvinists, they stick where he left them—a misery much to be lamented; for though they were precious shining lights in their times, yet God did not reveal his whole will to them; and were they now living, doubtless they would be willing to embrace further light as that which they did not receive.'—pp. 95, 96.

We are surprised at Mr. Stoughton having passed over the barbarous persecutions directed by Laud against the puritans of his day, as they supply materials of unrivalled interest, and are susceptible of a far more effective exhibition than some things with which his pages are loaded. There is a romance, painful,



yet inexpressibly attractive, in some of the scenes then enacted ; a charm of the highest order ; a moral never surpassed. The scene at Westminster, for instance, on that memorable 30th of June, 1637, when Bastwick, Burton, and Prynne, members of the three learned professions, were brought forth to be barbarously mutilated, the first two by the loss of their ears, and the last by having the stumps of his torn out, and his cheeks branded by a red-hot iron. It requires an artist of the first order, to do justice to what the people of England then saw — the heroism and tenderness which mingled in that scene. The wife of Dr. Bastwick rushed to his side, and, with a feeling which betokened the agony of her soul, kissed the ears that were about to be mangled. Yet her nobility was equal to her love, for when entreated by her husband not to be dismayed, she heroically replied, 'Farewell, my dearest ; be of good comfort : I am nothing dismayed.' The wife of Burton acted a similar part. He looked anxiously upon her, we are told in a pamphlet of the time, 'to see how she did take it. She seemed to him to be something sad ; to whom he thus spake, 'Wife, why art thou so sad ?' To whom she made answer, 'Sweet heart, I am not sad.' 'No,' said he, 'see thou be not ; for I would not have thee to dishonour the day, or to darken the glory of it, by shedding one tear, or fetching one sigh. For behold thou for thy comfort my triumphant chariot (the pillory), on the which I must ride for the honour of my Lord and Master. And never was my wedding day so welcome and joyful a day as this day is.' Prynne's conduct was equally heroic, though his sufferings were still more severe. 'Now, blessed be God,' he exclaimed, on descending from the pillory, 'I have conquered and triumphed over the prelates' malice ; and feel myself so strong, that I could encounter them all together at this very present.' Such are some of the materials which this period of our history furnishes, and we commend them to Mr. Stoughton, as the subject of a distinct chapter, in case of a second edition of his work being called for.

We must close our extracts with the following sketch of 'the five dissenting brethren,' to whom posterity owes so much for their able advocacy, in the Westminster Assembly, of religious toleration. It is well for mankind that they were there, a break-water to the tide of presbyterian intolerance, which set in so fearfully. The puritans were slow to learn the right of every man to worship God according to the dictates of his conscience ; and that section of them which adopted the platform of Geneva, was amongst the least inclined to do so. Their numbers greatly preponderated in the Westminster Assembly, and, had their views been carried out, England would have gained little by the overthrow of episcopal domination. Happily they were not so.

The independents kept them in check, while such statesmen as Vane and Cromwell watched their proceedings with more than parental solicitude. Too much cannot be said in reprobation of the ecclesiastical policy of the Assembly, though we hold in utter contempt, the descriptions which Clarendon and other royalist writers have given of the personal character and ministerial qualifications of its members.

‘The five dissenting brethren,’ as they were called,’ says our author, ‘were distinguished and active members of the Assembly. They were the steady advocates of Independency, and numbered about five or seven beside themselves, of the same sentiments. They were men who had taken up the cause for which Barrowe and his associates suffered, and the pilgrim fathers were exiled; for which Robinson preached, and Lord Brooke pleaded; and in whose service, with humble zeal, the little Church in Southwark had lifted up its banner.

‘Jeremiah Burroughs—educated at Cambridge—forced to quit the University on account of his Nonconformist opinions—driven to Rotterdam, whence he returned after the opening of the Long Parliament—a man of candour, modesty, and moderation—one whose devotional works breathe a spirit of enlightend and persuasive piety, and whose gentle spirit, with all the firmness that sustained it, could not bear the rough beating of the times, so that he is said to have died heart-broken at the age of forty-seven—was one of Nye’s companions in the Westminster Convocation; and, in the debates that were carried on, this excellent man enlightened the brethren by his clear intelligence, and disarmed, if he did not subdue, opponents by his loving spirit. If Nye was the Luther, Burroughs was the Melancthon of the party. Nye was bold as a lion, Burroughs gentle as a dove. The energy of the one was like the hurricane, sweeping all before it; the influence of the other was like the gentle falling of the snow-flake, or the spring shower. One was like John the Baptist; the other resembled the beloved disciple. Men of both classes were needed, the ‘sturdy woodcutter,’ as Luther called himself, and ‘the gentle husbandman, sowing and watering,’ as he styled Melancthon. William Bridge, once the minister of the old parish church of St. George’s, Tombland, Norwich, then a refugee in Holland, but now one of the ministers of Great Yarmouth, a man who had a library well filled with fathers, schoolmen, critics, and other authors of worth, and was wont to rise at four o’clock, both winter and summer, to read them, may be remembered next among these worthies. Having himself suffered in the cause of truth and liberty, he stimulated others to the display of like heroism, exhorting his good people at Yarmouth in the following strain:—

‘Certainly, if God’s charge be your charge, your charge shall be his charge, and being so, you have his bond that they shall never want their daily bread. Wherefore, think on all these things; think on them for the present, and in the future, if such a condition fall: and the Lord give us understanding in all things.’ These were sentiments calculated to form heroic sufferers, and heroic soldiers; and they did both. Bridge was a firm Independent, yet no boisterous schismatic. He held the truth in love; and, when his own party had attained to power,

befriended those who were of different opinions. We shall catch further glimpses of this great man, hereafter. Sydrach Sympson, according to Neale, a meek and quiet divine, educated at Cambridge, but driven out of the church by Archbishop Laud, a man of great learning, and equal piety and moderation, though silenced at one time by the Assembly, because he differed from them on some matters of discipline, was a companion and fellow-labourer of the Independent band. Last, but not least, was Dr. Thomas Goodwin, a divine of much celebrity, respecting whom it was recorded in the common register of the University of Cambridge, where he studied, 'in scriptis in re theologica quamplurimus orbi notus.' His opinions on the five points were of the high Calvinistic school, but he did not fail to inculcate the practical lessons of Christianity, and was opposed to Antinomianism equally in theory and practice. Such were the men who fought the early battles of Independency.'—pp. 163—165.

We part from Mr. Stoughton with sincere respect. He has furnished a volume which all may read with interest, and from which most may gather both information and instruction. To our young people, his labours will prove especially useful, and to all such, we cordially recommend them.

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ART. VIII.—*Electoral Districts.* By Alexander Mackay, Esq., of the Middle Temple, Barrister-at-Law. London: C. Gilpin.

*Speech of Mr. Cobden, M.P., in the Debate on Mr. Hume's Motion, July 6th, 1848.*

It is in the recollection of all, that when the scheme of the Reform Bill was first announced in the House of Commons, a leading politician of the day declared that 'it took away his breath.' The significance of the expression has lost somewhat of its force, since it has become evident, that 'the bill' has failed to neutralize that preponderating influence of the landed and aristocratic class in the House of Commons, which it was expected to reduce to its equitable proportion. To those who had so long struggled for an infusion of the more popular or democratic element into that House, the extinction of so many small boroughs by Schedule A., and the excision of one member each from the boroughs enumerated in Schedule B., and the transference of the representation to such places as Manchester, Leeds, Birmingham, etc., seemed a great stride; and almost by acclamation, those who had contended for Universal Suffrage, Vote by Ballot, and Annual Parliaments, hailed the measure, if not as a realization of their theory, at least, as a practical means of good government. The experience of fifteen years has demonstrated that the House of Commons, under the



Reform Bill, is still, as before that measure was passed, essentially aristocratic in its composition, and the tendencies of its legislation. We are not unmindful, whilst we pen this, of what the reformed House has done. It has opened the China and East India trade, it has abolished slavery in the colonies, it has freed the municipal corporations, it has repealed the Corn and Provision laws, it has substituted to a large extent taxes upon property and income, for impolitic taxes on the raw materials of manufacture; and it is about, as we would fain believe, to give the *coup de grace* to the Navigation Laws. Yet must it be noted, that the most important of these measures, the Abolition of Slavery and the Repeal of the Corn Laws, were not spontaneous acts of the people's representatives. They were extorted from the House of Commons, only after costly and prolonged agitations. The first too had its price, in the apportionment of which the members of both houses had, directly or indirectly, no small concern; whilst the carrying of the latter has left, as the strongest section in parliament, that which clings to a protective policy in its most extreme form, and which, with a pertinacity of resistance, and an acrimony of debate, unknown since the discussions on the reform measure, now seeks to re-enact protection for the West India planter, if it does not indeed aim to re-enact slavery and the slave-trade. The fact that the agitations alluded to were absolutely unavoidable, on the supposition that the ends contemplated were really necessary to the nation's weal, of itself, is decisive of the failure of the Reform Bill to produce a close harmony betwixt the people and the House of Commons. But that failure becomes all the more palpable, when it is remembered, that the voices which out of doors, in public meetings and otherwise, compelled the House to fulfil their wishes, —were precisely the voices of those who either were altogether unrepresented in parliament, or whose share in that representation was utterly disproportioned to their number. Is it needful to state, that the agitation against the Corn Laws had its birth-place in a county which contains as many £10 electors, as the eight counties of Kent, Devon, Norfolk, Wilts, Suffolk, Dorset, Lincoln, and Northampton; and that whilst that one county sent twenty-two voices to parliament, to denounce protection as an injustice and a crime, those eight counties sent eighty-five, to defend the one and to perpetuate the other? It is asserted that the present demand for organic change, owes no small share of its vitality to that restlessness of spirit, which a preceding agitation has generated; nay, it is coarsely hinted that men who took part in the league agitation, find the sober business of life distasteful, and are the real movers in the agitation for parliamentary reform. It needs no oracle to tell us, that however pleasant *pay* may be to the agents of such an organiza-

tion as 'the League,' the *payees* found it anything but an agreeable matter to them, save only when the contributions took the form of a tribute to their great leader; nor should it have escaped the sagacity of the potent writer, who has given utterance to this slander, that it is just possible the 41,041 £10 electors of Lancashire may have reflected that, if they had sent eighty-five representatives to the Commons' House, as did the 41,581 electors of the privileged counties we have named, the corn-laws might have been earlier repealed, and their money saved into the bargain. The practical people of this country, and especially the people of Lancashire and 'the north' in general, have an instinctive perception, that the process of roasting a pig by burning one's house down, is very expensive, as well as very absurd and ridiculous; and in virtue of that instinct, they have long since decided that it will be better to get the means for all reforms, once and for ever, by a change in the composition of the Commons' House, which shall give them their just status there, than to have a separate and distinct agitation to get up whenever they deem it necessary for the public good, that their opinions and wishes should be known in parliament. The pertinacious resistance to any change in the protective policy of the legislature led, in fact, to a considerable secession from the ranks of the League in 1841, and for a time, the conviction that repeal was an impossibility, so long as the Commons' House remained unreformed, paralysed its operation, and brought out in active and even virulent opposition to it, the Chartist body. And, though it is not denied, that the leaders of the League held on their course, in the confident belief that when the truth of their principles came to be generally understood by the middle classes, throughout the more popular constituencies of the nation, even an unreformed House of Commons would give way;—they would be greatly deficient in political sagacity, if they did not see 'a more excellent way' for the accomplishment of similar legislative changes, by bringing the legislature into harmony with the national mind. There is no statesman whose opinion is worth anything, who now denies the absolute necessity, and the critical timeliness of the Free Trade measure of 1846. But free trade would be a theory still, and not a *fact*, but for the League. The League, in the vastness of its organization, its protracted toil, and its almost superhuman energy, may be taken as the measure of a resisting force somewhere; and though it need not be denied that one element of resistance was the ignorance of the people out of doors, the mass of the opposing force was in the ignorance, the pride, the selfishness, and the class prejudices of a majority in the Commons; composed in the main of Tories, but including no small number of Whigs. And yet both Whig and Tory free trade leaders of the House of Commons, *now* resist the

only means whereby such organizations as the League may be rendered unnecessary; and in the same breath, condemn agitation as a political evil, and class agitators with disturbers of the public peace, and pestilent demagogues! The best answer to this accusation, is the fact, that the League agitators are the proposers of a reform in the representation, which to a large extent, would obviate the need of agitation; or at the least, would render it so palpably factious, that none but the very turbulent—the men who only live in and by confusion—would take part in it.

It would, however, be a partial explanation of the movement now taking place in favour of a large reform of the House of Commons, were it resolved into a mere question of the economy and better adaptation of it, as a means of legislative change. The movement has its origin in far weightier considerations than those of mere utility and fitness. The most important of these considerations are, first,—That the admission of the operative classes to the right of the franchise, is indispensable to the permanence and stability of our institutions; and second, That on several vital questions of social and political economy, the middle classes differ widely from the legislative classes, and are precluded, by the unequal distribution of the representation, from giving effect to their views in their House of Commons. The middle classes feel strongly on both these points; and the assertion is not lightly made that, long ere the Revolution of February 23rd broke out, and, of course, long before the 'Members League' was announced, the Liberal party in most of the large constituencies of the empire had arrived, not only at the conclusions now stated, but had contemplated and weighed the means by which they could obviate the evils which they indicate. It would be difficult to name a popular constituency which did not pledge the candidate for its suffrage, at the last election, to household suffrage *at the least*; and not one which did not record its condemnation of the centralizing tendency of the national legislation, either by returning members pledged to resist that tendency, or, by a formidable minority in support of members so pledged; that minority, being only such, because of the unprincipled coalition of a small section of so-called Liberals, with the Tory party of the constituency.

It is beside the purpose of this article, more distinctly to specify the points of difference betwixt the middle classes and the legislative and administrative classes. It must suffice to say, that the differences embrace greater and weightier questions than the incidence or the amount of a tax, or the scale of the national defences. The whole question of the end and scope of civil government has been raised; and on this fundamental question—a large section of the middle classes, com-



prising the most earnest, enlightened, and religious portion, are in direct antagonism with the ruling and legislating class; whilst on the grave questions of colonial and external policy, the entire middle class is arriving at conclusions which will, ere long, be embodied in vigorous action against the accredited policy of the Foreign and Colonial Offices. Never, since 1640, were larger questions before the public mind, nor can the solution of them be deferred. The contest on both these great branches of controversy is unavoidable. The legislature is not *resistant* simply on the first point of difference—it is *aggressive*; and as to the latter, the increasing burden of our colonial government, and the imminent peril to the experiment of free trade, which persistence in our external polity involves, are continually forcing both subjects on the attention of the commercial classes; and they lack neither the intelligence nor the power, to make their opinions felt in the legislature. At present, however, the middle classes are at serious disadvantage, just in proportion as they are inadequately represented in the Commons' House. They know it is *there* the battle of their principles must be fought: and alike, because it is their right,—and because of the great end which the attainment of the right will subserve, it may be set down as a postulate, that they are committed to a vigorous,—perhaps a protracted—but ultimately, a successful struggle for an efficient reform of the Commons' House:—including a large extension of the franchise, and an equitable distribution of the representation. It is our immediate object to develop the rationale of the latter, by a full exposure of the anomalies, the inequalities, and the gross injustice, of the present representative system.

The clever pamphlet of Mr. Mackay has already developed and placed in strong relief, these anomalies and inequalities, chiefly as respects the ratio of representation to population. Incidentally he has touched on them, as shown by the ratio of representation to property. Both because a close and remarkable coincidence can be shown betwixt a scale of representation based on population, and one based on property; and because the opponents of *re-distribution* cannot, consistently, and with any face, meet the argument, *as based on property*, with the common places which satisfy them, and too many in the country, of whom better things might have been expected, when that argument *rests on population alone*, the former view of the question will be exclusively presented now, except as for the purpose of illustration, broad general results on either plan, may be compared. There is the more reason, too, for this exclusive attention to the property side of the controversy, because of the profound ignorance of the great majority even of the educated classes,

whether in or out of parliament, on the relative wealth of the agricultural and manufacturing sections of the nation. In fact, the documents on which even a proximately correct judgment can be formed, are of very recent date; and the general mind has been so long possessed with a notion of the paramount importance of agriculture, in the scale of national production, that the true significance of those documents is understood by few. The magnificent *visions* of M'Queen,\* dedicated to the Duke of Wellington, and not unoften quoted in parliament by men who, if they had looked even most cursorily into their own *blue books*, would have seen the utter absurdity and statistical transcendentalism of their authority, have, indeed, had their day; but his successor, Mr. Spackman, is only a degree more *sober* and *real* than M'Queen, and he is far more dangerous, because his railway statistics have given him some standing as an authority. It can be no matter of surprise, that the representatives of the protectionist class should treat with such undisguised contempt and arrogant insolence, the representatives of the manufacturing classes; when, in addition to the prestige of aristocracy, they feel the proud consciousness of representing a property, in land, of £2,316,922,940 (a sum, the more magnificent and sublime, because to most of them it would be unreadable; and if it conveyed any distinct idea, that idea would be *infinitude*) against the miserable pittance of £201,000,000, represented by the despised *statists* of Manchester and Glasgow! Even supposing that Mr. Spackman's more moderate estimate had supplanted M'Queen's absurdity, how contemptible must these men appear to the Bentincks and D'Israelis, whilst they contemplate the glowing picture of agriculture, as giving employment to three quarters of a million of able-bodied persons, on whom eighteen and three-quarter millions more are dependent; making a total of twenty-two out of twenty-seven millions, dependent on agriculture: that agriculture, too, which, in Mr. Spackman's grandiloquent phraseology, 'pays three-fourths of the entire taxation of the country, feeds and supports the poor, maintains the church, is the great bulwark of the throne, and embodies in it *all* the elements of national strength, wealth, and prosperity.' It is a pity to disturb so bright a vision, but truth compels, and we must.

The occupations-return of the Census Commissioners, and more especially the preface to that return, in which it was shown, that in Great Britain, 2,039,409 males, above twenty years of age, are engaged in trades, manufactures, and commerce, whilst 1,215,264 only are engaged in agriculture, was as 'vinegar to the teeth,' to these worshippers of agriculture; but the return of real property chargeable to the income

\* Statistics of the British Empire, 1836.

tax, obtained in 1843, to which our readers' attention is particularly directed, revealed quantities and ratios which are even as 'smoke to the eyes.' Mr. Spackman, indeed, has laboured hard in his recent work,\* to invalidate the classification of the Census Commissioners, and to replace his idol, agriculture, on the pedestal from which they had, with rude and sacrilegious hands, cast it down; but he very wisely eschewed the return under the income tax of 1843, though he enumerates it as one of the documents consulted by him. It will hardly be credited, that, whilst that document exhibits the rental of land at less than 50 per cent. of the entire rental of real property in Great Britain, chargeable to the income tax, Mr. Spackman should represent that ratio as 68 per cent., on the authority of a return made in 1815! But we must give the substance of the former document without further preface. It is entitled—

'Abstract of a return, showing the *total annual value* of real property in Great Britain, assessed to the Property and Income Tax, for the year commencing April 5, 1842, and ending April 5, 1843, distinguishing that on lands, houses, etc.

The following is a summary of heads; the details under each, showing the amount for each county, separately:—

<i>Great Britain</i>				
Land	..	..	..	£45,753,615 18 10
Houses	..	..	..	38,475,738 13 0
Tithes	..	..	..	1,960,330 18 10
Manors	..	..	..	152,216 11 3
Fines	..	..	..	320,042 11 10
Quarries	..	..	..	240,483 9 6
Mines	..	..	..	2,081 387 1 5
Iron Works	..	..	..	559,435 5 6
Fisheries	..	..	..	58,914 13 5
Canals	..	..	..	1,307,093 7 2
Railways	..	..	..	2,598,942 19 6
Other Property	..	..	..	1,776,296 6 8
				<hr/>
				£95,284,497 17 4

Adding to the rental of lands, the rental of tithes, manors, and fines, we have an aggregate of a little more than an half of the whole; but taking the same items for England alone, to which our investigation will be directed, we have a total of £40,123,314. 16s. 4d. as the rental of lands, tithes, etc. etc., and £42,213,701 as the rental of dwelling-houses, quarries, iron works, mines, railways, etc. It is not an unfair supposition, that these sums indicate respectively—the first, the annual income of the landed capitalists, and the second, the annual income of the manufacturing and commercial classes, so far as

\* An Analysis of the Occupations of the People, by W. F. Spackman.



that consists of receipts from real property. It is, indeed, quite true, that the landowners are also owners of houses, but so are the commercial and manufacturing classes, of land. We think these may be equal quantities. This is, of course, conjecture,—not so, that out of thirty-five millions, the nett rental of dwelling-houses in England alone, Middlesex and Surrey have £11,592,202 1s. 3d., and the five counties of Lancashire, York, Chester, Warwick, and Stafford, £10,206,273 8s. 5d. more than three-fifths of the whole, showing that the seats of manufactures and commerce, hold the principal part of the real property in houses, etc. It is not essential to the argument we shall urge for a redistribution of the representation, that we should make this positively clear and certain, that argument resting on the simple principle of apportioning the representation in the ratio of the rental of real property, without regard to the incidence of ownership.

We will now show how this principle would work, as regards the relative number of representatives for the manufacturing and agricultural counties respectively. The most natural division seems the following:—metropolitan, mining, manufacturing, and agricultural counties. Maintaining the county representation intact, or distinct from the borough, and not disturbing the number of representatives of each class, we have the following table, showing the rental of land, tithes, manors, and fines, the present number of county members, and the number of members proportionate to rental, for each of the four divisions named; together with the excess or deficiency of the present number of members:—

	Rental of Lands, Tithes, Manors, etc.			Mem- bers.	Members Propor- tionate to Rental.*	Excess.	Defi- ciency.
1. The Metropolitan Coun- ties, Middlesex and Surrey .....	£.	s.	d.	6	3.36	2.64	
2. Three Mining Counties, viz. Durham, Corn- wall, and Monmouth.	1,792,937	18	1	10	6.38	3.62	
3. Five Manufacturing Counties, viz., Lan- cashire, Yorkshire (W. R.) Warwick, Stafford, and Chester .....	7,489,083	12	7	18	26.79	.....	8.79
4. Thirty Agricultural Counties .....	29,898,375	18	4	109	106.64	2.36	
	40,123,314	16	4	143	143.17	8.62	8.79

\* The proportions are given in all the tables in centesimal parts, and are as close as that scale allows.

It would appear by this table that the actual county representation of England, bears a close relationship to the true ratio, property being taken as the basis. There would be a slight gain to the manufacturing counties, of which the West Riding of York would take 8 as its share, and Lancashire 2; the counties of Warwick and Cheshire losing the difference betwixt 8·79 and 10; and Staffordshire being entitled to four members, its present quota.

Turning now to the borough representation, the following statement will exhibit the results of an apportionment of representation, according to rental. Table showing the rental of houses, quarries, mines, iron works, railways, etc., in four divisions of the counties of England, the present number of members, the number to which each is entitled proportionate to rental, and the excess or deficiency of the present scale of representation; together with the number of members to which the present parliamentary boroughs are entitled, the excess or deficiency of such representation, and the number of members for which new constituencies would have to be provided:—

COUNTIES.	Rental of Dwelling Houses, Quarries, Mines, Iron Works, Railways, etc.			Present Number of Members.	Number of Members Proportionate to Rental.	Excess.	Deficiency.	Number of Members to which the present Boroughs are entitled.	Excess of Members for present Boroughs.	Deficiency of Members for present Boroughs.	Members for which New Constituencies would have to be provided.
	£.	s.	d.								
2 Metropolitan Counties ...	13,342,001	4	1	19	102.40	...	83.40	81.92	...	61.92	20.48
3 Mining Counties .....	1,820,470	19	3	17	13.96	3.4	...	4.10	12.90	...	9.86
5 Manufacturing Counties...	11,959,810	18	11	63	91.81	...	28.81	54.52	8.48	...	37.29
30 Agricultural Counties .....	15,091,418	16	2	225	115.62	109.38	...	65.57	158.43	...	50.05
	42,213,701	18	5	324	323.79	112.42	112.21	206.11	179.81	61.92	117.68

Before commenting on the many startling results exhibited in the foregoing table, we would enunciate a principle, which appears to admit of no contradiction. Leaving out of sight, for the present, all considerations as to the qualifications of the parties who vote, we submit, that the number of members chosen by each section of voters should be in the ratio, either of the number of such voters, the population which they represent, or the rental of real property, for their respective districts. It is a matter of comparative indifference to our argument, which standard is taken; we shall be able to show that the results of all three methods are closely accordant; but we presume no sane man

would think of denying the correctness of one of these modes of determining the ratio of representation, if the whole matter were now to be determined *de novo*. We shall deal with the arguments in defence of the existing anomalies and inequalities of the representation, in the sequel. We now turn to the table.

It is apparent at a glance, that the thirty agricultural counties, in addition to their undisputable and unapproachable majority of seventy-five county members, over the three other sections (and which, under the system of re-distribution contemplated, would still be seventy-two,) have a preponderance of 109 members, to which they are not entitled; and which number is within three of the number of which the metropolitan and manufacturing boroughs are unjustly deprived, under the present absurd system. But this is not all. The boroughs which actually return the 225 members, are not entitled to return more than sixty-five members; so that they have 158 members more than their share. *Nor even is this all.* Forty-two of these boroughs (returning sixty-nine members, a number which more than neutralizes the united voice of the five manufacturing counties,) are, more or less, under the influence of the landlord and aristocratic classes. There remain 156 members, which the united voice of the metropolitan and the mining counties, say thirty-six votes, leaves still a majority of 126 borough members. Now, if to this majority be added the majority of seventy-five county members, it is clear that the thirty agricultural counties have a majority of 201 votes. Let us see how they would stand under the proposed adjustment:—

Thirty agricultural counties,—county members	109	
„ borough ditto	115	
		224
Ten other counties,—county members .	..	34
„ borough ditto ..	..	209
		243
Less members for agricultural counties	224	
Majority .. ..		19

The agricultural counties would be in a minority of nineteen, in place of a majority of 201! Aye, but of what complexion would the new members for the manufacturing and metropolitan counties be? That is the rub! Be it so. We will answer the question, and show, we hope, that the idea of adding



strength by such a change, to the landed interest, is a chimera and a bugbear, which ought to be at once dismissed from the mind of every honest and intelligent reformer.

The sources of such accession of strength are plainly twofold. 1.—That out of the 115 borough members, to which the thirty agricultural counties would be entitled, they would have a larger proportion of landlord nominees and Conservatives, than in the present number of 225; and 2.—That they would gain a proportion of the new votes, to which the manufacturing districts would be entitled, *greater* than the number of Tory votes, in the 109, which would be expurgated in the agricultural counties.

Carefully analysing ‘Dodd’s Parliamentary Companion,’ we have the following classification of the 215 members returned by the agricultural counties :

		Present Number of Members	Conser- vative.	Liberal.	Number of Memberspro- portionate to Rental.
Counties in which the Conservatives have a majority .. ..	10	85	59	26	33 12
Counties which are neutral	6	36	18	18	16 79
Counties in which the Liberals have a ma- jority .. ..	14	104	31	73	65 71
	30	215	108	117	115 62

It needs only a glance at these figures, to perceive that the counties in which Conservatism has its strongholds, will suffer the greatest reduction of members; eighty-five being diminished to thirty-three,—little short of two-thirds. On the other hand, the counties which return a majority of Liberals, would only suffer a reduction of thirty-eight on 104,—or little more than one-third. Supposing, that after the adjustment of numbers according to the rental of real property, the ratios of Conservative and Liberal members remain the same, the following table will exhibit the result :

	Members.	Conservatives.	Liberals.
Ten counties ..	33 12	23	10 12
Six ditto ..	16 79	8 40	8 39
Fourteen ditto ..	65 71	20	45 71
	115 62	51 40	64 22

At present, the Liberal majority in these thirty counties is nine. On the adjusted scale it would be thirteen. We incline to the opinion, that the gain would be greater than this,

because the pocket borough influence would be almost annihilated, by merging the pocket boroughs in districts sufficiently large to give the right of returning one or more members. The scale for one member being £130,289.; and the pocket boroughs scarcely averaging more than £20,000. rental, it is evident that the influence of one family, or landlord, would, in the great majority of cases, be entirely destroyed. In all probability, rival Conservative and Liberal claims would be set up, where the one or the other now reigns in undisputed sovereignty; and whenever men are so far delivered from the torpedo-influence of a system which leaves them no mental exercise, as to the matter of voting, further than to get an intelligent idea from their patron's steward, who it is their patron wishes or directs them to vote for, we have some hope that truth will prevail; and when that prevails, there will not be the dead lock of Toryism,—there will be progress, in some form or other. We cannot, then, see how landlordism, or Conservatism, is to gain in the thirty agricultural counties. Let us now enquire what probability there is that it would gain in the metropolitan, the mining, and the manufacturing counties; which, for convenience, we shall class together in one group. These counties return ninety-nine borough members, of whom thirty-two are Conservative, and sixty-seven, Liberals. They would have 208 members under the proposed system; and if the proportions of Liberals and Conservatives remained the same, there would be 141 of the former, and sixty-seven of the latter; leaving a Liberal majority of seventy-four. The whole gain of the Liberal party would then stand thus:—

Gain in thirty agricultural counties .. ..	4
Gain in ten other counties .. ..	39
	<hr/>
Total gain .. ..	43

This gain must not be confounded with that shown on p. 238, which, it may not be amiss to repeat, simply shows the gain in mere *numbers*. The figures above (forty-three) show the *political* results of the adjustment, as distinct from the *numerical*. Now, we have taken the proportions of 141 Liberal, to sixty-seven Conservative members, for the ten counties, on a supposition the *least* favourable to the former: that is, we have taken the *aggregate* ratio of sixty-seven to thirty-two; whereas, taking the sections of counties in detail, and calculating the results separately, the proportions would stand thus,—one hundred and fifty-five, and fifty-three, in place of one hundred and forty-one, and sixty-seven. Thus calculated, the Liberal gain would be seventy-one, in place of forty-three. We are quite willing, how-

ever, for the sake of strengthening the argument, to take the least favourable supposition, because it will best meet the objection made in several quarters,—that the landed interest would gain by the apportionment of members, to the ratio of population, *or property*; for, although the objection is taken to an apportionment according to population, it will presently be demonstrated, that whether population or property be the basis, the results are all but identical.

It will be urged, we know, that the new members given to the manufacturing counties of York (W. Riding), Lancaster, Warwick, Stafford, and Chester, will, in the main, be returned by the *agricultural districts of those counties*. But on a very minute examination of this assertion, we find it to be without foundation. In fact, the large towns would take one-half of the new members, and the districts which now have no voice, except as they share in the county representation, would get the other; and we conceive it to be quite certain, seeing that those unrepresented districts are so thickly studded with considerable towns and villages,—such as Dewsbury, Barnsley, Keighley, Otley, and Holmfirth, in the West Riding of York; and Burnley, Haslingden, and Darwen, in Lancashire;—that, at the least, the votes would be equal.

As to the metropolitan counties, of which the borough representatives are as three Conservatives to sixteen Liberals, if the same ratio were obtained in the apportionment of the eighty-three new members, there would be sixteen Conservative and eighty-six Liberal members; but, as already observed, we have taken an aggregate ratio of thirty-two to sixty-seven, for the ten metropolitan, mining, and manufacturing counties, the result of which is, thirty-three Conservative to sixty-nine Liberal members for the metropolitan section; a proportion which seems to us a very probable one.

The preceding statements and calculations may, with advantage, be put in the form of six distinct and short propositions:—

- 1.—That thirty agricultural counties of England return 225 borough members to Parliament, and ten other counties return ninety-nine members, leaving a majority of 126 members in favour of the former section.
- 2.—That if the representation of England were adjusted, according to the scale of rental, the thirty agricultural counties would return one-hundred and fifteen members, and the ten other counties two hundred and nine members; leaving a majority of ninety-four members in favour of the latter.
- 3.—That in the present borough representation, the Liberal party have a majority of nine in the thirty agricultural counties, and a majority of thirty-five in the other counties, making an aggregate majority of forty-four Liberals.



- 4.—That if the members respectively returned for the two great sections of counties, after the re-distribution according to rental, should be in the same ratio as to political opinion, the numbers would stand, one hundred and eighteen Conservatives, and two hundred and five Liberals, leaving a majority of eighty-seven, in favour of the latter.
- 5.—That the majority of Liberals on the present system being forty-four, the gain of re-distribution would be forty-three.
- 6.—That re-distribution would not affect the ratio of Liberal and Conservative county members, in any appreciable degree.

We have stated that the results of a re-distribution of the representation, whether in the ratio of rental, electors, dwelling-houses, males above twenty years of age, or of population, would not augment the strength of the landed and aristocratic party in the House of Commons. We now give a table which exhibits the results on each of these modes of re-distribution.

Counties.	In the ratio of property Members.	In the ratio of electors Members.	In the ratio of houses Members.	In the ratio of males above 20 yrs of age Members.	In the ratio of popula- tion. Members.
30 Agricultural	222	214	260	246	247
3 Mining	20	21	23	24	24
2 Metropolitan	106	112	52	70	67
5 Manufacturing	119	120	132	127	129
40 Total.	Total 467	467	467	467	467

The most formidable objection to re-distribution is that which is directed against it as based on population, or on universal suffrage. The preceding table shows that, on either of these principles, the total gain of the agricultural counties would be twenty-five votes, as compared with a re-distribution according to rental. But the gain is not necessarily a landlord or Conservative gain. It would only be a gain, measured by the different ratios of Liberal and Conservative members in the agricultural and manufacturing districts, respectively. In round numbers, these would be as seventy-five to fifty, in the former, and as one hundred and forty to seventy, in the latter, *after re-distribution*. Twenty-five votes, therefore, would give fifteen Liberal, and ten Conservative, votes, in the former case, and sixteen Liberal, and eight Conservative, votes, in the latter. The gain would be *one* vote to the agricultural counties.

The discrepancies in the ratios of the table are marked, but they admit of an easy solution. The ratios of rental and of electors are closely accordant, and for an obvious reason,—the present electors are the propertied classes, to use a current phrase. The ratios of inhabited houses are greatly discrepant,

because houses in agricultural districts are not in the same juxta-position to vast masses of real property, as in the great seats of trade and manufactures. For a similar reason, the population is in a less ratio to property in the metropolitan and manufacturing counties. If, however, the whole of Great Britain were taken into the calculation, the relative numbers of members returned for the agricultural and the manufacturing counties would be less favourable to the former, than as shown for England alone; and, dividing the members for each section (as to politics) according to the present scale, the result would be more favourable to the Liberal interest.

We avoid all discussion on the question of equal electoral districts. The true rationale of representation supposes *all* classes to have a voice. A system which gives a mere *majority* the entire representation would be a representation of one class, and that class not the landed. We think it idle to say the land is represented by the House of Lords. It is in the Commons that all great questions affecting the *whole people* are decided; and that House ought to speak the voice of all the lieges. The county representation is one we have no wish to disturb. It has the *prestige* of antiquity, and a manifest utility.

In whatever aspect, then, re-distribution is viewed, it is demonstrated that the landed interest would not gain by it, so far as respects England. Still less would it gain when applied to Wales and Scotland, if the representation of those portions of the empire be adjusted on the same principle as that of England, namely, each division retaining its present number of members, and those members being apportioned, *pro ratione*, to the rental of land and other real property. It would extend this article beyond due bounds to give the details; it must suffice to state, that whilst in Wales the re-distribution would not affect the relative strength of parties at all,—in Scotland, it would greatly increase the borough representation, which, it is almost unnecessary to say, is more liberal than the borough representation of England. But then there is Ireland! We do not deny the difficulty, if either population, or males above twenty years of age, be taken as the standard of re-distribution. Or any one of the other standards of distribution,—rental, ten pound householders, or inhabited houses (distinguishing houses from mud-hovels),—Ireland would have less than its present share of members in the imperial legislature. Rental, separately, would only give it seventy-four members in place of 103. The difficulty vanishes at once, if the existing proportion of members for the four primary divisions of the two islands be retained. And the difficulty, such as it is, of arbitrarily maintaining those proportions unchanged, whilst the proportions for

the secondary divisions of each (the counties and boroughs) are re-arranged, either on the basis of population or of property, is not *peculiar* to those who contend for such re-arrangement. It is a difficulty which must attach to all and every form of further change in the representation. The only parties whom this difficulty does not affect, are those who deny the necessity for any further change. With them we hold no controversy; they will have to be driven from their position, by an unmistakeable expression of the national will. We address ourselves exclusively to those who admit the anomalies of the present system; and if we can show to them, that a further change in the representation is unavoidable, ere many years have elapsed, we commend to their consideration the policy and the candour of no longer throwing contempt on the question of re-distribution, by pointing to a difficulty in its application, with which they will have to deal, not less than those whom they would fain put out of court.

We shall not bestow any further notice on the cuckoo objection, that this is not the time to agitate the question of electoral reform, than to say; that it is always *the time* to discuss a subject which must, in the nature of things, force itself with increasing power, year by year, on the attention of parliament, and which will have, ere long, to be legislated about in earnest. To shirk discussion now, is to make sure of hasty and crude legislation, when the time for action comes. Nor shall we do more than notice the transparent absurdity of urging the impotence of a legislative majority of land-owners and Conservatives against the power of public opinion, as a reason against re-distribution, by those parties who, in the same breath, object to re-distribution, because it will give greater strength to that legislative majority. If public opinion is omnipotent now, it will be so when the representation is fairly adjusted; they cannot use an argument both ways at once.

Our reasons for believing that parliamentary reform cannot long be deferred, are soon told. There are two classes aggrieved by the present system: the operative classes, and the ten-pound householders of the manufacturing and metropolitan counties. Chartism is only one of the forms in which the former classes manifest their dissatisfaction with their political condition; and therefore the conclusion, that because Chartism, in the persons of some exceedingly foolish or wicked men, having come into contact with the law, has been humbled in the dust, the cry for the suffrage is extinct,—is a most illogical one, and as dangerous as it is illogical. The demand for political power amongst the mass of the people, is at once the expression of their uneasiness and suffering, and the evidence of an intense desire for its attainment, amounting to a passion.



Those who, in the seething cauldron of political strife, have observed the workings of ambition, and the life and death struggle for power; and who have seen in the lower struggle for wealth and station, how intensely men's energies and passions can be concentrated on the one object for which brain and sinew are taxed and strained,—may have some conception how fixed, earnest, and indomitable is the will which has marked the suffrage as its goal and reward. The return of prosperity may for a time draw off the attention of the people from this object, but it will only be to return to it with a more fixed and dogged purpose, on the recurrence of another period of calamity and suffering.

The other aggrieved party has a perpetual grievance to think upon, and nurse its wrath about. The authors, and immediate instruments of the grievance, will not suffer it to be out of sight or mind. The privileged representatives of the agricultural counties and boroughs do not fail to use the 'giant strength' they possess, and they neither do it 'wisely nor well.' They not only make their power felt by their votes, but, like Fluellen, they taunt whilst they strike. That a D'Israeli should do this—he of whom 'Punch' said, happily, that 'if the venom were taken out of his speeches, they would lose all which caused them to be felt,'—is hardly to be wondered at. But since a Premier can gibe those who, in the Commons' House, stand up as the representatives of the people, properly so called, and that, too, at a moment when the country gentlemen were showing how grateful to their noble and aristocratic natures was the coarse invective of one whom they hate, if levelled at those whom they both *hate and fear*,—neither he nor they need be surprised, if there is a purpose formed, which, through contumely and sarcasm, the cold support of quondam reformers, or worse, their carping criticisms, will be followed up until it is accomplished. Let us not be misunderstood. It is no *sentimental grievance* of which the ten-pound householders of the manufacturing counties complain; though they are quite free to acknowledge, that the gibe and the jeer at their representatives, and the miserable imputation on themselves, as the embodiment of a pitiful and sordid selfishness, do not make them feel the less, the political unfairness of their position in the legislature. Their desire to have their just share in the representation has no selfish object; though it may happen, that in the general benefit which they covet that share in order to promote, they may participate.

The middle classes have strong convictions, and strong purposes based on those convictions, which they can only give full effect to in Parliament. One of the tables we have given

shows that, even under the present scale of the franchise (the ten pound qualification), there is a mass of 108,108 householders, representing a rental of £15,243,813, who have no voice in the borough representation of England, alone. We ask if it is at all likely that such a body will rest content with its present condition of political nibility and powerlessness? The demand for enfranchisement, in the form of a re-distribution of the representation, is the natural consequence of that mental activity and that strong feeling on great questions of national polity, which so pre-eminently distinguish the present period; and whether that demand be met by the cold refusal of co-operation, from those who have hitherto aided in the cause of progressive reform, or the scornful resistance of such as hold an unjust share of legislative power, *it will have its end and aim!* As Mr. Mackay well puts it, 'The nation will have the *substance* of representation,' or, as Mr. Cobden, in his peculiar and apt phraseology, has it, 'The nation will have the reality and not the sham of representation.' The attempt to baulk its purpose is as useless as Mrs. Partington's contest with the tide; nay, its uselessness and impotence is better described by a simile we lately met with, it is just like 'baling out the ocean with a pitchfork.' The impotence of the resistance, too, will be the more apparent and palpable with each succeeding year. Great as are the anomalies and inequalities of the representation, they are every day becoming greater. The ratios of increase in the agricultural and the manufacturing counties are widely discrepant. Since 1801, the agricultural counties have increased 60 per cent. in population; whilst the manufacturing have increased 120. Nor are the ratios of increase in wealth less in contrast. Comparing the rental of real property assessed to the income-tax in 1815 and in 1843, the ratio of increase in the agricultural counties is 42, and in the manufacturing, 102. Supposing the rates of increase to continue unchanged until 1871, the ratio of representation, determined either by property or population, will be as 10—representatives for the thirty agricultural counties—to 6—representatives for the manufacturing. On the present scale, the respective ratios are as 13 to 3. The resistance to a wrong is not usually lessened in energy by the increase of that wrong; and a wrong which is, as we have shown, so accurately measured now, is not likely to be met with a diminished vigour of resistance, when its dimensions are seen to augment in a rapidly increasing ratio. A little wrong may be submitted to, as a less evil than agitation; but a great one, whilst it provokes a more burning resentment, and is therefore the more likely to be resisted, is in a fair way of being redressed when the strength of the aggrieved object of it is day by day augmenting. The

middle classes are in this position, and they know it. They know, too, that when the demand for the suffrage next comes from the operative classes, the two objects of an extended suffrage and an equal distribution of representative power will go together, and they will 'bide their time.'

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### Brief Notices.

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*The Learned Societies and Printing Clubs of the United Kingdom; being an Account of their Respective Origin, History, Objects, and Constitution: with full Details respecting Membership, Fees, published Works, and Transactions, Notices of their Periods and Places of Meeting, etc. And a General Introduction, and a Classified Index, compiled from Official Documents.* By the Rev. A. Hume, LL.D., F.S.A. 12mo. pp. 307. London: Longman and Co.

THE title of this volume fully explains its objects, and the learned are greatly indebted to Dr. Hume for the labour expended on its preparation. The history and constitution of those societies, whether scientific or literary, which are formed for the advancement of various branches of human knowledge, are legitimate subjects of curiosity. All intelligent men desire to know something respecting them, and yet it has been hitherto difficult to obtain authentic information. 'So far as I know,' says Dr. Hume, 'there has never been, hitherto, any means of obtaining that knowledge, except through the documents privately printed; for which, even among the learned, not one man in a hundred knows how or where to apply.' Those only who have made the effort, have any adequate conception of the difficulties connected with such inquiries, or of the value of such a manual as Dr. Hume has supplied. He has been at considerable pains to verify his statements, and with this view has wisely availed himself of original documents, and in all cases where it was practicable, has submitted his account to the correction of official personages. His introductory remarks supply many useful suggestions, and we shall be glad to find that his labour is duly appreciated by those for whose benefit it is designed. To his list of Printing Clubs should have been added the *Hansard Knolly's Society*, the first volume of which appeared in the early part of 1846. It is entitled, *Tracts on Liberty of Conscience and Persecution, 1614—1661*, and is one of the most valuable publications of our day. The *Ecclesiastical History Society* is a subsequent organization, and is entitled to be noticed in a future edition.

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*A Bridal Gift.* By the Editor of 'A Parting Gift to a Christian Friend.' Seventh Edition. Liverpool: D. Marples. London: Hamilton and Co.

THIS is one of the most beautiful gems which the English press has produced. It is 'got up' with exquisite taste; and is altogether a perfect specimen of typography and of elegant embellishment. It is impossible to speak too highly of the skill with which Mr. Marples has executed his work, and we trust that the public will do credit to their own discernment, by affording him the benefit of a liberal patronage. Six editions of the work in a less expensive form, consisting of upwards of eleven thousand copies, have already been disposed of, and we do not doubt that this enlarged and embellished edition will find an equally cordial reception. The literary contents of the volume are in happy keeping with its other features. 'The work is intended as an elegant little present to those who have recently entered on the state of 'holy matrimony.' It has been judged that, at such a moment, when the congratulations of friendship are usually warm and heart-felt, many would gladly avail themselves of a *Manual*, as the vehicle through which they may express their kindly feelings towards the newly-wedded pair.' We commend alike the object and the manner of its execution, and shall be glad to introduce this most tasteful and beautiful little volume into the drawing-rooms and boudoirs of all our readers.

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*Bibliotheca Londinensis: a Classified Index to the Literature of Great Britain, during Thirty Years. Arranged from and serving as a Key to the London Catalogue of Books, 1814—1846, which contains the Title, Size, Price, and Publishers' Name of each Work.* 8vo. London: Thomas Hodgson.

IMMENSE labour must have been expended on this volume, which contains a classified list of all the works announced in the 'London Catalogue,' from 1814 to 1846 inclusive. The want of such an index has long been felt. Learned men engaged in a particular course of study, and authors working in the several departments of history, literature, or science, have earnestly coveted it, but have scarcely ventured to expect that their desire would be gratified. Every person engaged in such matters, must be aware of the trouble and perplexity which attend a reference to many catalogues, each, it may be, extending over a brief period only. In the present volume all this is saved, and an ease and facility of reference are obtained which those only can duly estimate who have submitted to the drudgery, and felt the insecurity of the older method. It has, therefore, our hearty good wishes, and we strongly recommend it to all bookish men. 'To every one connected with literature, it will save much valuable time, in searching after all the works written by different authors on the same subject; whilst to those who buy books, it shews at one glance the selections they can make, without being subject, from an imperfect memory, to purchase what is subsequently found useless.'

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*The Maternal Management of Children in Health and Disease.* By Thomas Bull, M.D. Third Edition, carefully revised and considerably enlarged. London: Longman and Co.

It cannot be too strongly impressed on the minds of parents that they have the power, in a large measure, of securing a sound mind in a sound body to their children, and that they are responsible for its use. But let it not be supposed that it can be duly used without much care and effort. A considerable share of information, constant watchfulness, decision and courage to resist their own feelings, and disregard the opinions of the world, are indispensable. But whatever the qualifications needed, they alone can be looked to for them.

It is, therefore, with great pleasure, that we contemplate the circulation of works designed to impart the knowledge of the proper management of children, and to stir up parents to its study and application. Such works, if judiciously prepared, are invaluable. Among them we assign a high place to the volume before us. It is, in our judgment, singularly fitted to the end proposed. It possesses all the qualities that such a volume should possess. It is comprehensive in its topics; particular in its directions; simple and easy in its style; and, though last, certainly not least, it bears unmistakable marks of sound science and sound sense. Without intending to make every parent his own doctor, it will, if heeded, go far to prevent the necessity for professional interference, as well as to secure it when necessary at the right time; while its chief value consists in its supply of those wise maxims and advices which, when attended to, effectually guard against most diseases and disorders altogether.

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*Writings and Disputations of Thomas Cranmer, Archbishop of Canterbury, Martyr, 1556, relative to the Sacrament of the Lord's Supper.* Royal 8vo.

*Miscellaneous Writings and Letters of Thomas Cranmer, Archbishop, etc.* Royal 8vo.

Edited for *The Parker Society* by the Rev. John Edmund Cox, M.A., F.S.A.

THE Parker Society has done good service to sound theology and English ecclesiastical history, and we purpose, ere long, taking occasion to enter somewhat fully into the consideration of its labours and its claims. In the meantime we commend, to all such of our readers as are interested in the history and theology of the English Reformation, the volumes now before us. Cranmer rendered great service to the disenthralment of religion. We are far from regarding him as the master-spirit of the movement. There was too much weakness in his character for this. He wanted the heroic fortitude, assuming frequently a hard and repulsive aspect, which was exhibited by Luther, Calvin, and Knox. Yet we must not underrate him, nor disparage his labours. He did noble things, and the heroism which shone forth from the martyr, atoned for much of the suppleness of the

courtier, and the timidity which prompted his recantation. His writings were numerous, and exercised a powerful influence. Apart from their controversial merits, which are considerable, their circulation was necessarily aided by his position and connexions. They form a material part of the literature of the Reformation, and should be closely studied by those who would rightly appreciate the views and conduct of the men of that day. The subjects treated of by Cranmer were of the highest order, of which the first of the volumes before us, is a sample. The nature of the Lord's Supper entered into the very essence of the papal controversy, and Cranmer sifted it with all the acuteness and learning of an able and erudite man. We thank the editor for the pains with which he has discharged his labour, and especially recommend our ministerial readers to possess themselves of a copy of these volumes, and deeply to ponder their contents. In the times that are coming, a knowledge of the literature of protestantism is absolutely needful.

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*The History of British India, from 1805 to 1835.* By Horace Hayman Wilson, M.A., F.R.S. 8vo. Vol. III. London: James Madden.

THIS volume completes Professor Wilson's continuation of Mill's India, and leaves little to be desired by those who are solicitous to acquaint themselves with the rise of British power in the East, and the character of the institutions by which that power is upheld. The volume extends from the close of the administration of the Marquis of Hastings in 1823, to the termination of the commercial existence of the East India Company, and embraces some of the most important and interesting points which our Indian legislation has mooted. The work is written with great calmness and impartiality; the style is inartificial and lucid; the pains-taking is obvious without proving burdensome; and the general train of reflection is both solid and conclusive. It is a worthy sequel to one of the noblest historical compositions of our age, and will long hold an honourable place amongst our standard works.

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*The Wisdom of the Rambler, Adventurer, and Idler.* By Samuel Johnson, L L D. London: Longman and Co.

FEW things would be more impertinent than to panegyryze the writings of Dr. Johnson. We shall do nothing of the kind, but contenting ourselves with such a description of this small volume as will acquaint our readers with its character, shall simply recommend their adopting it as a pocket companion in their summer journeyings. A brief extract from the Editor's preface will best explain the nature of the work. Referring to the Rambler, Adventurer, and Idler, he says:—'The voluminous editions of these works, coupled with the dry, ponderous compositions to which the philosophical and more instructive essays are attached, have prevented their being so highly appreciated as they ought to be, and may be said to have sunk them,



for want of a convenient form of publication, into almost entire neglect. The following collection has, therefore, been published, under the hope that the solid sense and deep practical wisdom which it contains, being now disencumbered of a large amount of critical and other matter, uninteresting to the general reader, and brought within the compass of a pocket volume, of moderate price, may prove alike serviceable and attractive to the public.' In this hope we unite, and cordially recommend the Editor's labours to the patronage of our readers.

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*The Millennium in its Three Hundredth Century. Written in the year 1847 of the Satanic State of the Fallen World.* By Omicron, author of 'Elements of Truth,' 'Paulus,' 'Pride and Prejudice,' etc. London: L. Houghton and Co.

THIS is one of the books that defy all description. It is fortunate for the author that he believes that 'praise, no creature can possibly deserve in any degree.' He has put his 'humble lucubrations' into the form of a drama, of which the *scene* is the English court, and the *characters* are—'King of England,' 'The Queen,' 'First Son,' 'Second Son,' etc. Perhaps one short specimen, with the author's own italics and capitals, will best enable our readers to judge of the performance:—

'KING.

That thy high Privilege is to live to see  
 'Fruits of THE SPIRIT'—Messiah's Ministry,  
 Millennial VIRTUE—FELLOWSHIP, and LOVE;  
 HEAVEN'S WILL on Earth obeyed, AS 't is above.  
 The happy influences of THE HEAVENLY DOVE!  
 With THAT blest COMFORTER, *divine communion*;  
 And with each other, PERFECT CORDIAL UNION.  
 Sweet INTERCHANGE of INTERESTS COMPLETE;  
 Each heart in ALL to ONE GRAND CENTRE MEET:  
 ONE mind, THE MIND of CHRIST the WHOLE inspires  
 With the SAME objects, sympathies, desires—  
 Thus by ONE SPIRIT *sanctified and skilled*  
 The law of Christ by us is all fulfilled.  
 The angelic proclamation of the skies  
 Couched in few words where true religion lies.'—p. 41.

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*The Forgiveness of Sin, and the Possibility of attaining a Personal Assurance of it.* By the Rev. T. East, Birmingham. 1847. Glasgow: James Maclehose.

THE subject treated in this volume occupies a place of great importance to the holiness, joy, and usefulness of Christians, and one upon which many erroneous opinions are prevalent. A treatise which should discuss it plainly, wisely, and faithfully, was much wanted, and Mr. East has supplied it. He has presented scriptural truth in a clear and forcible form, ever keeping in view the great ends of practical godliness.

*A Discourse of Matters pertaining to Religion.* By Theodore Parker, minister of the second church in Roxbury, Mass. London: John Chapman.

THIS discourse treats of the *religious sentiment and its manifestations*, and its relation to *God*, to *Jesus of Nazareth*, to the *greatest of books*, and to the *greatest of human institutions*.

It is impossible to convey any idea of the work in a few lines; and most of those who are likely to take an interest in its discussions may be supposed to have already met with it. Plain and sober readers need expect nothing from it. It is not a book for the million, except that many of the mass will, doubtless, retail its bold sayings, often without understanding, and more often without being able to defend them. Indeed, it is just the book for the day in this respect, for we have met with no work, of late, containing so much matter adapted to the reckless taste of the times in a form so fit for the use of third-rate declaimers on, or rather against, religion.

That Mr. Parker is a man of great intellectual vigour, and of extensive reading, will not be questioned by any who judge of him from his writings; that he occasionally breathes forth true and noble sentiments, we readily admit; but as a discourses on *religion*, as an expounder of its principles, and interpreter of its phenomena, we should wrong our most cherished convictions, in appearing to regard him as not desperately erroneous. He has put together a vast variety of materials, without respect to consistency, though the bearing of his theory, or rather theories, as a whole, is, in our view, essentially fatal to the very first principles of religion, while the oracular tone of his decisions, and the burning energy of his passion, are well calculated to confound the timid and ignorant, and to kindle a sympathy with his views in such as are easily excited.

The circulation of works of this kind imposes a solemn task on those who cannot contemplate without dismay, the deadly assaults on religion that are being continually made in its own name, and, in some sense, by its own means. May they be found wise and faithful!

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*Discourses Delivered at the Recognition of the Rev. George Thomson, as Co-pastor with the Rev. H. S. Burder, D.D., Hackney.* London: Jackson and Walford. 1848.

A MORE than usually excellent specimen of a class of publications, seldom of general or permanent interest. The address to the new minister, by the Rev. Algernon Wells, we have read with especial pleasure.

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*The Beloved Disciple. Reflections on the History of St. John.* By Mrs. J. B. Webb. London: Hatchard and Son. 1848

MUCH Christian feeling, great earnestness, and a certain delicate, womanly tenderness and pathos, characterize this volume, which we recommend, as thoroughly imbued with the spirit of the beloved disciple.

*Additional Remains of the Rev. Robert Murray M'Cheyne, late minister of St. Peter's Church, Dundee; consisting of various Sermons and Lectures delivered by him in the course of his Ministry.* Second Thousand. 1847. London: John Johnstone.

MR. M'CHEYNE was one of the lovely Christians and successful Christian ministers of modern times. The grace of God shone in him with remarkable lustre. A high degree of spirituality and devotedness to his work, gave a charm to his character, and living efficacy to his labours. If the piety and zeal could be extracted from the productions of his pen, they would not appear remarkable; but as it is, they cannot but be precious to the devout of every name.

The present volume contains sixty-four sermons and seventeen lectures, 'printed from the author's M.S. notes, written as preparations for the pulpit, but not intended for publication, or revised by him with that view.' They are short, simple, and practical.

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*English Life, Social and Domestic, in the Middle of the Nineteenth Century, considered in reference to our position as a Community of Professing Christians.* By the author of 'Reverses.' London: B. Fellowes. 1847.

THIS belongs to a class of works which is increasing daily, and it possesses the character which is common to most of them. In so large a field of discussion, we cannot be expected to agree with all the opinions advanced, nor do we; but there is a clear intelligence pervading the work, which gives value to its counsels. Many may profit by them, in relation to some of the most delicate and difficult questions of parental superintendence and social intercourse.

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*Ecclesiæ Dei: A Vision of the Church.* With Preface, Notes, and Illustrations. London: Longman & Co. 1848.

A VOLUME of lamentations over the departed glories of old church furniture and music, mixed up with some attempts at satirizing non-tractarian bishops, so heavy that one scarcely knows whether the wit or the weeping is the more doleful. It has nothing to distinguish it from the ordinary run of Puseyite poetry, excepting, perhaps, that the author has rather less *taste* than his brethren.

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*The Sacred History of the World Attempted to be Philosophically Considered in a Series of Letters to a Son* By Sharon Turner, F.S.A. and R.A.S.L. Eighth Edition. Vols. II. and III. London: Longman and Co.

THE first volume of this edition was noticed in our June number, and we need, therefore, now do little more than record our pleasure at its early completion. Of the work, itself, it is superfluous to speak, and the Index, extending to twenty-two pages, which the editor has added, will render it much more available for purposes of reference.



*Rawdon House; or, Hints on the Formation of Character at School.*  
By Mrs. Ellis. London: Jackson.

THIS little pamphlet,—an account of the methods adopted in the school conducted by its authoress,—scarcely comes within the range of a review. It contains, however, many useful hints on the formation of character at school.

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*Helps to Hereford History. Civil and Legendary, etc.* By J. Dacres Devlin. London: John R. Smith. 1848.

THERE are few better ways of gaining a knowledge of the condition of the people in past centuries, than the republication of such old records as we have in this little volume, when the editor has in him any power of making dry bones live. The present author has executed his task very creditably, and, when it is remembered that he is a working man, a labourer at the trade whose old records he has here printed, he commands all honour, and we trust will meet with ample success in any future literary labours.

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*Music and Education.* By Dr. Mainzer. London: Longman and Co.

IN a German's eyes a book is nothing if it is not learned, so Dr. Mainzer has given us first an elaborate history of music, where Greeks and Celts, Egyptian Platonists and Caldee Monks, are showered down on the reader. This is *more Germanico*. The remainder, the larger and more interesting part of the volume is, a very eloquent and effective plea for the general introduction of music as a branch of education, in which its moral and aesthetical influences are admirably discussed by an enthusiastic musician, and man of taste and talent. We should be glad to know that this volume was extensively read and its suggestions acted on, by all under whose care children are placed.

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*Popery Delineated, in a Brief Examination and Confutation of the Unscriptural and Anti-Scriptural Doctrines and Practices maintained and inculcated by the Modern Church of Rome, in the Unrescinded Decrees of her Councils and Canon Law, and in her Authorized and Acknowledged Formularies of Faith and Worship.* Second Edition. London: Painter. 1848.

IF any of our readers would like to venture on a volume heralded by such a title-page, we can assure them that they will find in this one a really valuable collection of documentary evidence on the points of which it treats, and that the business of research and compilation has been done with the same conscientious scrupulosity to give a full, true, and particular account, which is evinced in the portentous length of the title-page.

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*The Gospel of Christ, the Power of God unto Salvation ; exemplified in the Preaching and Writings of the Apostle Paul.* By the Rev. W. A. Newman, Sen. Wolverhampton: Simpson. 1848.

THIS series of Sermons contains much pointed appeal to men of all classes, but is neither better nor worse than the average of such publications. Valuable no doubt to the author's congregation, as a memorial of one who has evidently been a faithful minister, it has no peculiar claims on the attention of a wider circle of readers. It is a respectable volume of sermons, and nothing more.

*The Odes of Horace, literally translated into English Verse.* By Henry George Robinson. Book II. London: Longman & Co. 1846.

THIS volume shows its author to be possessed of considerable power of versifying. The translation, though usually very literal, is also very elegant and lively, and in some cases exceedingly happy. Considering the difficulties, the author has done well, admirably, but, although not disposed to find fault with any one for doing what he is fit for, we cannot help asking, as we would a man making tiny tea-spoons to put in a cherry stone—considering the difficulties, is it worth doing at all?

*A Progress of Piety, whose Jesses lead into the Harbour of Heavenly Heart's Ease.* By John Norden. Parker Society. 1847.

'It is a satisfaction to the Council of the Parker Society, to introduce this volume to an extended circulation as a sample of the practical and devotional theology of the Elizabethan age.' Making allowance for the quaintness, which was the disease of the age, these meditations and prayers are just such as are valued in the present day, as manuals of devotion. They are divided into eight portions, or, in the author's language, Jesses ('pauses—properly, the strap fastening a hawk's leg,') each consisting of meditation, prayer, and a hymn, and are marked throughout by a rich vein of devotional feeling.

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